PHILLIPS

The West in the Diplomatic Negotiations of the American Revolution

History

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THE WEST IN THE DIPLOMATIC NEGOTIATIONS OF THE AMERICAN REVOLUTION

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BY

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B. A. Indiana University, 1906, M. A., 1909

THESIS

Submitted in Partial Fulfillment of the Requirements for the

Degree of

DOCTOR OF PHILOSOPHY

IN HISTORY

IN

THE GRADUATE SCHOOL

OF THE

UNIVERSITY OF ILLINOIS

1911

1911
P54

UNIVERSITY OF ILLINOIS

THE GRADUATE SCHOOL

May 13 1911

I HEREBY RECOMMEND THAT THE THESIS PREPARED UNDER MY SUPERVISION BY

Paul C. Phillips

ENTITLED The Work in the Diplomatic Negotiations of the American Revolution -

BE ACCEPTED AS FULFILLING THIS PART OF THE REQUIREMENTS FOR THE

DEGREE OF Doctor of Philosophy.

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Preface.

The aim of this essay is to seek out the truth in regard to one phase of the diplomatic history of the American Revolution, the whole history of which has been befuddled by the suspicions of Jay and Adams. To accomplish this, the archives of Washington, London and Paris have been searched; those of Spain yet remain to be explored. It is not hoped that this study is the final word on the subject, but I do believe that it has opened up new leads to truth regarding the history of the west during those trying times.

This subject was suggested to me by Professor C. W. Alvord in the spring of 1909, and the work has been done under his direction. I am also indebted for many valuable suggestions to Professors F. L. Greene, C. S. Ford, W. S. Robertson and to other members of the Department of History of the University of Illinois. Mr. W. G. Leland of the Carnegie Institute gave much assistance in my search for materials in the archives of Washington and Paris, and for similar help in the archives of London my thanks are due to Mr. Hubert Hall of the Public Record Office, and to Mr. H. P. Biggar of the Canadian Archives Commission. I wish also to acknowledge the help given me by Miss Anne Applegate of the University of Illinois in the translation and interpretation of manuscripts.

Paul C. Phillips.

Urbana, Illinois
May 13, 1911.

CHAPTER I.

THE ORIGINS.

"The humiliation of Britain!" "the prestige of France!" these were the phrases most often on the tongue of French statesmen in the decade following the close of the Seven Years War. To their minds the first was the means to the second. To accomplish their purpose they realized that, in addition to the old coalition of France and Spain, they must raise up a new foe to Great Britain. The shrewd and owl-eyed Choiseul looked across the Atlantic and saw in the liberty loving English colonies of America, the latent power needed to attain his ends. To the unimaginative Vergennes was left the task of building up this coalition, of guiding its forces against the common foe, and finally of apportioning the spoils of war between the hungry maws of his new proteges and the insatiable greed of his old ally. Both reached out for those territories which had fallen a prey to Great Britain in the former war and did not, on account of the character of their position and population, play a title role in the mighty drama of the world struggle. Around this question of spoils twined the intricate negotiations of the American Revolution, and upon its answer depended the success of French diplomacy in forming a triple alliance against the might of Britain. Here was the problem upon which Vergennes was to spend many thoughtful years, only to find at last its solution wrought out by other men, working on principles strange to him and with forces unknown to his reasoning. The final outcome, however, satisfied the aims of Vergennes' diplomacy. By the independence of the United States and the division of Pitt's great conquests in the Mississippi valley the revenge of France was completed.

The peace of 1763 robbed France of all her possessions in America. Canada and that part of Louisiana east of the Mississippi

passed to the dominion of England, and western Louisiana was handed over to Spain as an indemnity for the loss of Florida. Among the English colonies all fear of the enemy of so many generations passed away. The terms of this treaty portended the establishment of the United States, for with the fear of French aggressions before them the colonies would never have dared rebel. That rebellion was to offer France her opportunity. Even before the conclusion of peace in 1763 she was laying plans for a new war against her ancient rival. In 1762 the Duke de Broglie was instructed to draw up plans for the contest. These were worked out to the minutest details, but when the death of Louis XV brought in a new government they were laid aside only to be resurrected at a later date.[1]

To Choiseul, the keen and farsighted minister of Louis XV, America seemed the most natural and easy ground on which France could work out her vengeance. Great Britain was still the undisputed mistress of the seas and he turned to the New World as the battlefield on which to dispute this supremacy. He realized the strength of the forces with which England had to contend in America and was astonished at her blindness when he learned she was provoking war,[2] for through his agents he was well informed of conditions there. De Kalb had come over in 1767 as such an agent, and perhaps Bonvouloir acted in this capacity on his journey along the whole Atlantic seaboard.[3] London also furnished him the latest intelligence.[4] In the French archives are bundles of reports concerning America, gathered from every source.

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1. Archives de la Marine, B 4, Vol. 135, pp. 4-6. This plan, however, involved as its most important measure a descent on the coast of England. It was the general opinion in France that the monarchy would never again interfere on the continent of America. Before 1774 Choiseul alone seems to have conceived this idea.

2. Wharton, Diplomatic Correspondence, I, 371, note.

3. Ibid, I, 417.

4. Ibid, 731.

The Spanish people likewise hated the British nation for their losses by war. Although they distrusted France the two crowns were bound together in common interests and purposes, and were particularly united by the Family Compact, according to the terms of which, there was a mutual guarantee of their possessions, and a mutual promise of aid in case of attack. For this their hatred of England and desire for vengeance was a pledge. That France was willing to redeem hers was evident when in 1774 Spain and Portugal were on the verge of war over the boundaries between Brazil and Uruguay.[1] France took the side of Spain, Great Britain that of Portugal, and for a time it seemed that war would result. But the Bourbon powers were not ready for war, and the conflict was postponed till a more favorable opportunity.

In the midst of these troubles the old king Louis XV died. His successor, Louis XVI, in the selection of his ministry, passed over the supple Choiseul and chose for the foreign office Charles Gravier, Comte de Vergennes, at that time ambassador to Sweden. Vergennes had few of the characteristics of the wily Choiseul. Although he had spent his whole life in diplomacy he never displayed that finesse which has come to be regarded as characteristic of French statesmen. He was narrow in his views, blunt and direct in speech, and cold and haughty in manner. Particularly marked was his deficiency in the vivacity and optimism so general among the French people and his appearance of always laboring under a load of anxiety and responsibility. But he was a man of clear understanding and resolute purpose, who pursued unhesitatingly to the end the policy upon which he had decided. In his public life as well as in his private relations he was frank and sincere. His opinions often appear narrow and unreasonable, and his bluntness in expressing them often exposed him to the

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1. Doniol, Transcripts, XVIII, 36.

charge of lack of tact. He sometimes showed a violent temper in dealing with the other ministers and his ambassadors and even towards foreign representatives such as the American commissioners. In general, however, he was patient and courteous. He was not a lovable character, but his uprightness and ability gained for him the friendship and respect of such opposite characters as Franklin, Louis XVI, and Marie Antoinette.[1] Such was the man who at the age of fifty-seven years took charge of the foreign affairs of France. No abler minister could have been chosen and his honesty and loyalty were beyond suspicion. Patriotism was his greatest passion, and for the betterment of his country he gave his life.

At the beginning of his ministry he had one disadvantage. His whole diplomatic career had been connected with the east and north and when called to office in 1774 he had little special knowledge of the problems that confronted him in the relations of France with Spain and England. His lack of previous acquaintance with the subject made it difficult for him to work out the details of his foreign policy, but he set himself resolutely to the task, with a success to be hereinafter described. Vergennes was in one respect like Choiseul. He was determined to avenge French defeats at the hands of Great Britain and to restore French prestige abroad. This was the keynote of his whole policy, and it was this that led him in 1778 to recognize the independence of the United States and to make every effort to keep the alliance and friendship of Spain.[2] He keenly felt the depths to which

1. This characterization of Vergennes is drawn from his letters and diplomatic despatches. Franklin paid a tribute to him in 1781, in speaking of "the sincerity of this upright and able minister, who never promised me anything which he did not punctually perform." Franklin, Works (Smyth ed.), VIII, 302. At the time of Vergennes'death Franklin again wrote: "So wise and good a man, taken away from the station he filled is a great loss, not only to France but to Europe in general, to America and to mankind." Ibid, IX, 575. For a common idea of Vergennes see John Jay's characterization in Magazine of American History, XIII, 31.

2. Doniol, I, 13.

his country had fallen, and recognized that throughout all Europe French prestige was shattered. "The deplorable peace of 1763", he informed his king, "the partition of Poland, and indeed other causes equally disastrous have struck the greatest blows to the respect for your Crown."[1] He complained that this peace had been purchased at the price of Canada, Louisiana and other valuable possessions. To retrieve the fallen glory of France he held it necessary to strike a blow at England. And here for the first time Vergennes suggested that encouragement and aid be given the British colonies in their opposition to their mother country.

From reports of conditions in America Vergennes was sure that a rupture was near at hand. To make his information still more exact he sent Bonvouloir on a second visit. In his instructions to this agent Vergennes recognized the jealousy of the British colonies of French influence and their fear of French aggression. His agent was instructed to inform the Americans that France had absolutely no designs on the conquest of Canada.[3] It is probable that Vergennes was the more willing to make this promise because like his predecessor, Choiseul, he disliked colonial establishments,[4] and at no time in his career did he seek to acquire them but was content with small islands and commercial ports.

The outbreak of the American Revolution gave the North American continent an international importance greater than it had ever

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1. Doniol, I, 13.

2. Ibid, 2.

3. Wharton, Diplomatic Correspondence, I, 333.

4. Vergennes never expressed any desire to establish colonies. On the contrary he repeatedly declared that France had no designs on American territory and at the time of the treaty of alliance he willingly agreed not to occupy any part of the continent. In the "Reflexions" of 1775 Vergennes shows the utmost indifference to a colonial empire, and at a still later time he declared that France had all the colonies her population and industry could support. See post, p.

before possessed. In previous wars these vast regions had been merely a factor in great European struggles, but now they became the center of a new conflict fought out on different lines. In former struggles it was merely a question of whether Great Britain or the Bourbon monarchies should possess these boundless domains, and in every case the might of the Anglo-Saxon had prevailed. Defeated in every conflict with a united Britain, the statesmen of France now faced a divided empire and with the help of a powerful member, they hoped to overcome the author of the woes of the House of Bourbon. For them it was no longer a contest to decide the ownership of Canada or Louisiana; the reconquest of these had passed beyond their dreams; and they looked for triumph over their foe in the destruction of her commerce, in the dismemberment of her empire, and above all in forming of her richest provinces, a new nation that would forever be a check on British aggression.

In a comprehensive scheme like this, and especially in the establishment of an independent state in America Spain would have no part. She still cherished the dream of a colonial empire and her possessions in America, far greater than those of her British rival, stretched over half of the northern and nearly all the southern continent. It was true that an independent government in the New World would always be a threat and a danger to the British possessions, but it would be equally the same to those of Spain. It would be a constant menace to British dominion in Canada, but it would also be the relentless foe of Spanish control of Louisiana. This difference of interest and of policy could not be reconciled by appeal to the Pacte de Famille and was to produce throughout a lack of unity and harmony in the councils of the two courts.

Spanish fears of American aggression were not wholly groundless. The year 1763 had marked a new era in history of colonial ex-

pansion. With the danger of French encroachment removed the British colonies entered upon a period of growth and of independence of thought and action. With the removal of this same danger Great Britain in an attempt to centralize her empire entered upon a policy of restriction and coercion, that ultimately led to rebellion. It is not necessary to discuss here the motives behind this policy; it is sufficient that the policy itself produced the American Revolution, and thus played into the hands of France.

In this period between the treaty of Paris and the outbreak of the American Revolution there was much discussion of what to do with the territory conquered from the Bourbons: Florida, Eastern Louisiana and Canada. All this discussion, however, led to but three acts; the royal proclamation of 1763,[1] the treaty of Fort Stanwix in 1768, and the Quebec Act of 1774. The first of these acts marked out the two zones of the Floridas, and the Mississippi valley and provided for the control of each. The Floridas were placed under an arbitrary government, although some forms of popular control were preserved. In regard to the Mississippi territories this act forbade any"grant, warrant of survey, or pass patents for any lands beyond the heads or sources of any of the rivers which fall into the Atlantic ocean from west or northwest". All this territory was to be held, "for the present", for the Indians. It provided, however, for the sale of any of this land by the Indians to the British government.[1] In accordance with the terms of this proclamation the Indians ceded at the treaty of Fort Stanwix their claim to all land between the Ohio and Tennessee rivers and the way to the settlement of this region was now open.[2]

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1. Alvord, "Genesis of the Proclamation of 1763". Michigan Historical Collections, XXXVI, 20.

2. Alvord, British Ministry and Treaty of Fort Stanwix. Proceedings of the Wisconsin Historical Society, 1908, p. 24.

Even before the treaty of Fort Stanwix the British ministry was confronted by two policies in regard to the unoccupied lands of the west. One was to throw them open to settlement, the other was to keep them in wilderness inhabited only by Indians and traders. The Americans supported the first of these policies and their chief advocate was Franklin. Lord Hillsborough on the other side urged the prohibition of settlements in the back countries, and the reservation of these lands for the Indians.[1] In the early seventies it seemed that the ministry favored settlements in the country south of the Ohio, and that these regions would soon be peopled. Large numbers of frontiersmen wandered at will through the forests of Kentucky and Tennessee, and numerous trading posts were built up in West Florida and along the lower Mississippi.

To the north of the Ohio a different law was enforced. Settlements were discouraged and throughout the whole extent of this territory the only male inhabitants were Indians and a few hundred French "habitants" gathered peacefully together in ancient, little, drowsy villages. Across the prairies of this country roamed fur traders of English, French, or Spanish nationality, knowing no control but their own wills. Although these lands were not open to settlement, they were regarded as a part of the thirteen colonies, but in 1774 this claim was swept away. The Quebec Act[2] of that year incorporated the country north of the Ohio and west of the Alleghanies with the province of Quebec and it appeared to the colonists along the Atlantic

1. In 1772 when the Vandalia scheme providing for an extensive grant of land west of the Alleghanies was before the Privy Council, Franklin supported it and Hillsborough opposed. The Council decided in favor of the grant and Hillsborough resigned in disgust. Life and Writings of Franklin (Smyth ed.), V, 466 et seq.; X, 255 et seq.

2. Coffin, The Province of Quebec and the Early American Revolution. (University of Wisconsin, Bulletins, I, no. 3, 1896).

that they were to be always forbidden the use of the vast regions behind them. By this act a half of the back countries was definitely separated from the influence of the Anglo-Saxon colonies and entrusted to the arbitrary rule of a military governor under French law. Protests against this act were unavailing, but its enforcement, together with other unpopular measures of the royal government, was fast driving the colonies to rebellion.

Thus the acts and regulations of the British ministry divided the conquests of the Seven Years War into four districts differing in character, and each of these districts was to be a distinct issue in the diplomacy of the Revolution. Canada with its distinctive population and institutions, was not in sympathy with the ideals of the Anglo-Saxon colonies; but its ultimate possession was to the end of the struggle a matter of doubt. The Northwest, as yet unpeopled, was still claimed, under their charters, by the seaboard colonies; ancient Eastern Louisiana was held under the same title, and with less contradiction by Virginia, the Carolinas and Georgia. On the south, the Floridas, like Canada on the north, formed a colony, distinct in population and government.[1]

Beyond the Mississippi stretched the unexplored domains of Spanish Louisiana. Only a few years before it had been the pride of the French colonial empire, but this power, in order to reimburse Spain for her losses in the Seven Years War, had ceded it to her southern neighbor. New Orleans was the most important post and controlled the commerce of the Mississippi. Other Spanish villages were scattered up the river as far as St. Louis, which had been established at the close of the Seven Years War, and had become a refuge for

1. West Florida was the more important and the center of English influence here was Pensacola. From here the British commanders sought to control the trade of the Mississippi and to hold the Indians of western Georgia in subjection. Of scarcely less importance were the posts of Mobile and Natchez. The population was mostly French and Spanish, but there were many British and American traders. Colonial Mobile.

French inhabitants who desired to escape the rule of the British across the river. It was now a prosperous center of trade[1] with the Illinois country and a menace to British power across the river. So influential were the French in this region that in 1769, the commander of Fort Chartres in the Illinois country wrote to the secretary of war complaining that in spite of all the efforts of the English traders, backed by British soldiers, they carried off all the trade. Furthermore, they influenced the Indians against the British to such an extent as to threaten a general Indian war.

Although France had surrendered Louisiana to Spain she still possessed an active interest in it, as shown by the numerous accounts of this province during the years from 1763 to 1774.[2] Almost immediately after the treaty there appeared a "Memoire que regarde la Louisiane",[3] and in 1766 there appeared four extensive memoirs on the same province,[3] describing it in detail, and bewailing its loss to France. The years following were full of discontent and disturbance among the French population, and there were many complaints of Spanish cruelty and tyranny. The French of Louisiana appealed to their countrymen in Europe for aid and succeeded in arousing great sympathy among all classes. In France there was considerable agitation for the retrocession of this province to its former mistress and in support of this idea there appeared two significant memoirs. The first was entitled, "Memoir de Poterat tendant a mettre la Louisiane sous la protecterat francais."[4] Of still greater interest was a memoir of the French ad-

1. Colonial Office, 5, Vol. 88, no. 175.

2. Among these is a memoir from a M. Frances dated Oct. 21, 1763 in which he describes Lord Egremont's plan in regard to "Accadia Canada, and the Floridas". Arc. Aff. Etr. Angelterre, V, 481, no. 103. Concerning the Mississippi valley there is a letter from a M. de Neyon to Loftus in which he concedes to the English the permanent possession of the Illinois. Arc. Col. Louisiane, 44, Div. 2, 18 b. It is possible also that a M. Larnier who was in the Illinois country in the early seventies was an agent of Choiseul. Arc. Aff. Etr. Angelterre, V, 501, no. 320.

3. Paris Archives, Colonies, Louisiane, Vol. 43.

4. Memoires et Documents Affaires Etrangenes, Fond Divers, Amerique, II.

miral D'Estaing, arguing that it was a great injustice to make Frenchmen subject to Spanish laws, and proposing the freedom of Louisiana under the protection of France.[1] He described the country as rich and productive and capable of supporting an immense population which if given its liberty would form a powerful protection to the Spanish possessions in Mexico. The example of a free republic, he suggested, would be a powerful inducement for the English colonies east of the Mississippi to rebel. By thus promoting domestic war among them could France hope to increase her own power.[1] The plan of D'Estaing if carried out would have led to the establishment of a great nation in the Mississippi valley and would have meant the detachment from the British dominions of the territory between the Mississippi and the Alleghanies. It was, however, the indication of a policy which the French government never attempted to carry out.

After this flurry over Louisiana the French showed no interest in western affairs until the period of the American Revolution. After the retirement of Choiseul in 1770 and the abandonment of French activities in the Mississippi valley, there sprung up a strong rivalry between the Spaniards and English. British traders had finally gained control of the traffic of the Mississippi valley[2] and the Spaniards feared the British ministry had designs on New Orleans. There were many points of dispute between the two nations and it seemed not unlikely that war would result. Both sides were preparing for hostilities and planning extensive operations in the Mississippi valley. Hillsborough, the English secretary of state for the colonies, wrote to General Cage, January 2, 1771, that in the event of war he should

1. Marquey, L'Histoire des Cessions de la Louisiane. Mss. in Bibliotheque Nationale. Nouvelles Acquisitions, francais, 9309.
2. Gyane, History of Louisiana, III, 106. Further evidence of the extent of British trade on the Mississippi is shown by the fact that in one month in 1776 Galvez captured fifteen British trading vessels. The French archives contain frequent references to merchants who have been ruined by English competition.

instantly seize New Orleans and all of Louisiana.[1] Spain in turn prepared to defend her possessions in America and erected a number of posts along the west bank of the Mississippi. Her activity attracted the attention of Hillsborough and he instructed Gage to keep a close watch on movements in Louisiana.[2] It was not long, however, before the excitement in the Mississippi valley died down and military preparations ceased. England continued her trade along the river and Spaniard and Briton alike were enriched. It has already been shown that at the outbreak of the Revolution the thirteen colonies formed but a small extent of the British empire in America. It is true that they contained the bulk of population of the entire territory but it was even then recognized that Canada and the rich valleys of the Ohio and Mississippi contained vast possibilities of development. The English ministry felt that its predecessors had made a mistake in granting such liberal charters to the older colonies and it was its firm intention to hold the new ones under careful supervision. The belief that England was trying to surround the United Colonies by a ring of despotic governments was a strong factor in the opposition that led to revolution.

With the outbreak of war the question arose, what is to become of these vast dominions which are not a part of the revolting provinces? Will they cast their lot with the Revolution and unite with the great body of English colonists in repudiating the mother country? They were not strong enough to do this alone and there were many reasons why neither the Floridas nor Canada could unite with the other colonies to form an independent government. In regard to Canada, the natives were of a different race and it was against these same English colonies they had fought twelve years before. The French Canadians,

1. Colonial Office, 5, Vol. 89, no. 1.

2. Ibid, Vol. 35, no. 277.

long accustomed to a paternal government, had no sympathy with New England ideas of liberty. Furthermore, the Americans were Protestants while the French were Catholic and against the establishment of Catholicism the former had been most bitter. In the Floridas similar reasons kept the inhabitants from joining the Revolution. Most of the Anglo-Saxon settlers were direct from England and therefore loyal. In addition, the country was strongly held by British troops, sent there to overawe the Indians and protect the country from Spain.

Although the Revolutionary leaders eagerly desired the conquest of both territories, such an undertaking against the British empire while the population was at best indifferent, seemed doomed to failure when it is remembered that, throughout the war, the colonists needed all their troops to protect their own borders. It was only through foreign aid that such conquests could promise success, and to obtain this aid was one of the diplomatic problems of the Revolution.

As to the Floridas, there was another obstacle to their conquest. Spain had not forgotten her former ownership of them, which she desired to regain. She felt that her possession of New Orleans was of little value while another power held the gate of the Gulf of Mexico.[1] She was jealously watching events in the New World and ready to seize these provinces at the first opening.

Only the west then offered opportunities of expansion. In this direction the colonial population naturally flowed, and although without legal sanction frontiersmen were spreading over the region south of the Ohio, and establishing settlements in its rich valleys. The colonies backed up their claims to these settlements by appealing to their ancient charters. Against these, however, existed the legal force of various Indian treaties and the Quebec Act. Furthermore, the British held a quasi-military control of the Northwest which the colo-

1. Florida Blanca to Montmorin, 1778. Espagne, 588, no. 29.

nists were not then in a position to dispute. Clearly, if they were to get possession of this territory it must be by diplomacy or arms. The country south of the Ohio did not offer such a difficult problem. As has been described already, it was largely settled by American colonists and the British had no important posts within its limits. Spanish cupidity had not yet seized on this territory and its fortunes seemed linked with those of the seaboard colonies.

As a matter of fact, during the early days of the Revolution the Continental Congress did not consider the Mississippi valley as of much importance in the war. It concentrated its armies in the east and the west was left to shift for itself. In no sense, however, did the colonies abandon their claims to this valley. The Quebec Act was one of the grievances that brought on the Revolution and they never recognized the Northwest Territory as a part of Canada. There were some spirits among the revolutionary leaders, moreover, who looked to a union of all British America against the tyranny of England. Among these may be mentioned Franklin, Washington, and Jay.[1] There probably could be found no one among the patriots who did not regard the back countries as a part of the colonial territories, and this very unanimity of feeling doubtless forestalled discussion of the matter.

At the beginning of the war, however, the British military commanders were quick to see the importance of the west as a base of operations and on September 20, 1775 General Gage wrote to Lord Dartmouth from Boston, concerning a plan of operations in this region.

1. In July of 1775 Franklin drew up a plan of confederation to include not only the thirteen colonies, Canada, Nova Scotia, and the Floridas, but also the West Indies and Ireland. Works (Smyth ed.), VI, 425. This plan was presented to Congress but was never acted upon. Ibid, X, 291. John Jay was more conservative. In his History of the Spanish mission, written about 1780, he declared his early belief that Congress should abandon Florida and grant Spain the navigation of the Mississippi below "our territories". Jay, Life of Jay, I, 100. The ideas of Washington are less clearly set forth and may be interpreted only from his desperate attempts to conquer Canada and his designs on the Floridas.

He would raise the people of Detroit and other settlers in the interior who, together with the Indians and some regular troops from the Illinois country could make a diversion on the frontiers of Pennsylvania and Virginia. It was not, however, until late in the struggle that the United States made a serious attempt to conquer this territory.

From the beginning, the Americans hoped to get the Canadians to join in asserting their liberties, but the grievances of the French of Canada had been satisfied by the Quebec Act and they felt no uneasiness at the other measures of the British Crown. Their present government was much the same as that under which they had lived before 1763. French civil law was still maintained and the Roman Catholic religion was virtually established, while the annexing of the territory north of the Ohio to the province of Quebec tended to flatter the pride of the French Canadians[1] and to give them practical monopoly of the fur trade. The English Canadians, however, were disaffected at the policy of the ministry and held out strong hopes of joining the revolt.

In October, 1774 the First Continental Congress had urged the Canadians to unite with the other colonies in opposition to the measures of the British Crown. As early as February, 1775 secret agents of Congress arrived at Montreal to investigate conditions there. They learned that Canada was not in condition to resist an attack and that the majority of the English population was ready for revolt while the French Canadians would likely remain inactive.[2] Sir Guy Carleton, the governor general of Canada, was well aware of these efforts to induce the Canadians to join in the rebellion and in March he reported to Lord Dartmouth news of an address to the Canadians prepared by Cong-

1. Coffin, Quebec Act.

2. Kingsford, Canada, V, 251.

ress.

Congress determined next to undertake a military expedition against Canada, in the hope of inducing it to join them, and Washington believed that the movement would be valuable from a strategic standpoint.[1] He felt that the English Canadians were favorably disposed towards the other colonies and wished to encourage them in every possible way.[2] To this expedition Washington gave much thought and time, for he felt that it would have a "decisive effect on the public interests". If this expedition succeeded he felt the ministry's plans would be bound to fail.[3] As a further step to secure the adhesion of the Canadians he suggested that they be invited to send delegates to Congress.[4]

The efforts of Congress to win over Canada alarmed Governor Carleton, and in September he wrote that the Americans had been "only too successful" in debauching the minds of Canadians and Indians. Even the militia proved disloyal. The people in general seemed "to think it their interests that these wretches should become masters of the Country, though the Gentlemen, Clergy, and most of the Bourgeois have manifested great zeal and fidelity for the king's service."[5]

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1. Washington, Works (Ford ed.), III, 76.

2. Ibid, 68.

3. Ibid, 120. The colonial assmeblies had early sent detached expeditions towards Canada and Washington resolved to bring these together in a systematic invasion. On August 20, 1775 he wrote from Cambridge to General Schuyler communicating a plan of attack by way of the Kennebec river to Quebec. He hoped this would form a diversion and prevent General Carleton from defending both Montreal and Quebec. Works, III, 88. He worked out all the details of the plan and carefully explained them to Montgomery and Arnold. Works, III, 124. He instructed Arnold to do all in his power to win the good will of the Canadians "by just and honorable conduct" and to treat them and also the Indians as friends and brothers. He himself issued a proclamation urging the Canadians to join in the revolt. Works, III, 126. Montgomery also issued a proclamation to the Canadians on Nov. 12, in which he "suggested" a provincial convention to maintain the civil and religious rights of the colonies. Works, III, 239, note.

4. Washington, Works (Ford ed.), III, 238.

5. Colonial Office, 5, Vol. 92, p. 673.

At this time the British governor was in despair. He felt that the country was on the eve of being overrun and subdued.[1] Gage was more sanguine, however, and felt that unless the whole body of Canadians went over to the provincials, the expedition must fail.[2]

News of the fall of Montreal further alarmed the British commanders. Many of the Canadians went over to the provincial side and for a time it seemed that the whole province would take the side of Congress. In the other colonies also great importance was attached to the expedition and Washington wrote (January 27, 1776) that upon it would probably depend the issue of the whole war.[3] The failure of Montgomery and Arnold was a bitter disappointment to him, and he felt that the colonies had lost a great chance for a speedy and decisive victory and that the struggle must be long and bloody.[4] For some time after this, however, Washington did not give up all hope of affecting the conquest[5] but military events in the other colonies became more serious and at last the American forces were withdrawn and the province of Quebec was lost to the cause of the American Revolution.

In the west and southwest Congress was more fortunate and early got possession of the country. With the exception of a few posts such as Mackinac and Detroit in the extreme north the British had practically abandoned all the territory between the Great Lakes and the frontiers of Florida

To the south of the Ohio were the vast domains claimed by Virginia and North Carolina. Settlers were pouring in but the out-

1. Colonial Office, 5, Vol. 92, p. 674.
2. Ibid, Vol. 92, no. 38, p. 571.
3. Ford, Washington, Works, III, 381.
4. Ibid, IV, 47, 103, 108, 174.
5. Ibid, IV, 195, 218.

break of war had as yet prevented the organization of an established government.[1] There were no British posts to disturb the occupation of this section and the Americans were left in peaceful possession. As the war progressed the regions of Kentucky and Tennessee became the base of important military operations against the Northwest. Still later it became the object of Spanish cupidity and the refusal of Congress to surrender it played a considerable part in keeping Spain out of an alliance with the new republic. It is probable that only the outbreak of the Revolution prevented the establishment of a new colony in the Ohio valley. After the outbreak of the rebellion the people west of the Alleghanies still felt they must have some form of organized government. As a result there was established the Watauga Association which was merged into North Carolina in 1776 and the Transylvania scheme of 1775. By an act of the Virginia Assembly in 1776 the greater part of this territory was organized as the County of Kentucky.

Projects against the Floridas were destined to prove abortive. There were many Americans who urged their conquest, but in general they served only as a pawn to tempt the greed of Spain.

Thus conditions preceding the outbreak of war, and events connected with the organization of the rebellion, limited the acknowledged area of the revolting provinces, and threw the conquests of the Seven Years War again into the jack pot of world diplomacy. The policy of the British ministry before 1775 had divided these conquests into four distinct zones and these were to play important parts in the ambitions of the United States and Spain, and still more important were they to be in the desperate efforts of Vergennes to illumine from the dark humiliation of Britain the prestige of his beloved France.

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1. For discussion of the organization of the western governments see Alden, New Governments West of Alleghanies before 1780; and Turner, Western State Making during the Revolution, in American Historical Review, I, 20 et seq; 70 et seq.

CHAPTER II.

THE DIVERGENCE OF THE POLICIES OF FRANCE AND SPAIN.

The outbreak of open war in America formed a crisis in the diplomacy of France. The moment had come for which Choiseul had waited in vain and towards which Vergennes had pointed his policy. The report of the battle on the commons of Lexington warned him that the time for action was near. It was clear that France must aid the revolt, but many questions occurred to the mind of Vergennes. Would the colonies proclaim their independence? If they did proclaim it, would they fight firmly to maintain it? What should be the character of French aid? Would Spain join in a war to free the colonies? What recompense should France expect for her assistance? With these questions in mind Vergennes began to formulate a definite policy.

In two memorials written at this time for the consideration of the cabinet may be read the fundamentals of his decision, to which he clung throughout the succeeding years.[1] Such was the tenacity of

1. There is another memorial entitled "Memoire Historique et Politique sur la Louisiane", par M. de Vergennes, ministre de Louis XVI, published in Paris in 1802, which urges a course of action far different from that outlined in the two memorials described above, but there are reasons to regard it as a forgery. This memoir urges the conquest of Canada and East Louisiana, and the retrocession of West Louisiana from Spain. From internal evidence it appears that this document was written about 1777, before France took part in the war. It has acquired prominence from the fact that Turner uses it in his "Policy of France toward the Mississippi Valley in the Period of Washington and Adams" (Am. Hist. Rev., X, 249). Turner asserts that "the subsequent actions of Vergennes are entirely consistent with the view that he was the author," and supports this idea by reference to Oswald's letter to Shelburne of Sept. 17, 1782 on Rayneval's mission to London, and Godoy's declaration that Vergennes tried "to induce Spain....to give to France her ancient colony". The publication of Rayneval's report, (Doniol, V, 137), shows that his mission had nothing to do with the western territories, and it is impossible for Godoy to have known anything about French and Spanish negotiations during the Revolution, for he did not assume office before 1792. As will be shown in the course of this narrative, Vergennes made no attempt during the Revolution to acquire territory in America and often disclaimed any desire to do so. His letters and despatches throughout are opposed to such a policy.
Internal evidence points to the belief that Vergennes could not have been the author of this memorial. The style is not his.

his character, that having once determined upon a line of action, he followed it unswervingly to the end.[1] In order to interpret, therefore, the later action of the French minister, it is essential that the substance of these two memorials be known. The first of these was prepared in the fall of 1775 at the instance of Vergennes by his secretary, Gerard de Rayneval, and is entitled, "Reflexions sur la situation actuelle des colonies anglaises et sur la conduite qu'il convient a la France de tenir a leur egard."[2] The second was worked out, probably in a large measure by Vergennes himself, in the spring of 1776, and bears the heading, "Considerations sur les affaires des colonies anglaises de l'Amerique."[3] The "Reflexions" discuss in broad generalizations the conditions in America, and the interests of France in the struggle then going on. The "Considerations" was prepared after the receipt of Bonvouloir's report on the progress of the Revolu- and describes a more definite policy.

Page after page of narrative is taken up by historical and geographical details, and there is no part that bears the earmarks of a state paper. The memorial also shows an ignorance of political and geographical conditions during the Revolution, of which Vergennes was not guilty. One example of such will suffice. On page 26 it is states that the English will likely soon get possession of Louisiana and that then "Florida will fall of itself". Vergennes frequently discussed the Florida question, but he never made the mistake of supposing it Spanish. On no ground can this memoir be accepted as genuine.

1. "Whether the policy which he (Vergennes) pursued was the boldest which he could have adopted no man now possesses the means of judging. ... But having adopted it it is but justice to this minister to admit that he pursued it with singular equanimity, firmness and temper." Review of Sparks, Diplomatic Correspondence of American Revolution, 1831. North American Review, 33, 471. Wharton attributes this review to Edward Everett. Diplomatic Correspondence, I, 331.

2. Full text is given in Doniol, Histoire, I, 243 et seq.

3. Text in Doniol, I, 273 et seq. This memoir was sent to the principal officers of state and several copies are preserved. Doniol mentions one in Etats-Unis, Memoires et Documents, de 1765 a 1778, no. 8. Also in Archives Nationales, Carton K, t 64, no. 3. Affaires Etrangenes Espagne, 579, no. 108, p. 295.

It had now become the belief of Vergennes that the colonies would declare their independence and attempt to set up a republic. He regarded it as doubtful, however, that they could maintain themselves, unaided, against the British government. And even if the British crown should be compelled to concede them an independent existence, he held, that it would still keep its supremacy on the continent, through its control of the principal sea ports. Furthermore, Vergennes regarded the outcome of this war as dangerous to the colonies of France and Spain. As long as the struggle continued there was nothing to fear from either of the combattants, but the moment it ceased the two crowns must expect an attack on their American possessions. In case of victory, argued Vergennes, Great Britain will undoubtedly attack the Bourbon colonies in America in order to indemnify herself for the expense of the war. In case of defeat, she must atone for her shame by following the same course of action, or her very government will fall a prey to popular revolution.

After setting forth the dangers of a neutral policy, Vergennes described the advantages of intervention.

1. The power of England would be diminished and that of France proportionally increased.

2. England's commerce would suffer an irreparable loss while that of France would gain in importance.

3. France could probably regain a part of her possessions in America such as "the land fisheries,[1] those of the Gulf of St. Lawrence, Royal Isle etc.", Vergennes did not however include Canada.[2]

1. Vergennes writes, "peche de terre".

2. This sentence is vague. The French is "On ne parle pas du Canada". I take it to mean that Vergennes wishes to except Canada from the conquests France wished to recover. This interpretation would be in accord with his later policy. Doniol, Histoire I, 244.

Spain, he argued, would gain the same advantages as France in the humiliation of England and would have nothing to fear from the success of the revolution. In the first place, he argued, the war would so enfeeble the colonies that for many years they would not be able to undertake a war of conquest, and in the second place it was quite probable that the new government would be republican, and "it is generally believed, from experience that republics rarely have the spirit of conquest". In this case too the colonies were likely to break up into several republics, devoted to industry and commerce, and consequentlyto peace. Even if they should seize some Spanish possessions, he continued, "this is nothing to show that this revolution will be injurious to France".

After thus pointing out the certainty of war, and discussing the advantages it would bring to his country, Vergennes next passes to a consideration of the policy to follow. He felt that the time was not yet ripe for active intervention, but there was always danger that the critical moment would slip by unnoticed, for there was always the possibility of conciliation or the collapse of the revolt. If the struggle should unseasonably end he foresaw great dangers to both France and Spain, and again reminded the cabinet that Great Britain would surely seek indemnity for her losses in their possessions. On the other hand the continuation of the struggle without intervention would exhaust both combatants and leave France relatively stronger. The best policy for France then was to avoid for a time any action that would provoke trouble but to be always ready to resist an attack. France, he thought, should remain neutral for at least a year and "the degree of fury and exhaustion of the two parties, shall determine the instant of striking the decisive blow which shall reduce England to a second rate power, which shall take from her the empire which she claims with as much arrogance as injustice to hold in the

four quarters of the world, and which shall deliver the universe from a greedy tyrant". In the meantime the Americans should be sustained by "secret favors and vague hopes", whlie France must maintain a bold front for England "respects only those who are able to make her fear".

At no time did Vergennes stoop to seek a pretext for war. It was enough that Britain was dangerous, and must be reduced in power. She was the natural enemy of France, "ambitious, covetous, unjust, and faithless", whose policy had always aimed at the humiliation and ruin of his beloved country. Should not France then seize this opportunity and take every means to enfeeble her rival? Such was the policy of Vergennes. The "humiliation of England; the prestige of France". He would not seek to build up the old France, overloaded with colonies to drain the life blood of the nation. That could be left for the worn out empire of Spain, and the tottering power of Britain. But he would call into being a nation, which would be the friend and ally of the Bourbon throne, and a constant menace to the proud mistress of the seas.

Vergennes submitted the second of these memorials to Maurepas, Turgot, and St. Germain, members of the king's cabinet, on March 12, 1776,[1] and asked for their opinion. St. Germain responded three days later and advised getting ready for war. Turgot's answer was not ready for nearly a month. His paper of April 6, was a careful statement of the finances of France. He pointed out the immense public debt of the monarchy and the miserable state of her exchequer and argued that a war would make impossible for a long time to come certain necessary reforms. The reply of Maurepas is not known definitely but Doniol attributes to him a concise memoir, a copy of which is found in the foreign office.[2]

1. Doniol Histoire, I, 279.

2. Doniol, I, 286. Etats-Unis, II, No. 14.

This memoir agrees with the policy of Vergennes but insists that the project must be subordinated to the state of the finances.

These opinions did not affect the plans of Vergennes. He was not only seeking to lead the French king and ministry to the recognition of the independence of the United States and war with England but was also preparing Spain to enter the contest.

As has been stated, Spain and Great Britain had been on the verge of war the year before on account of the support furnished by the latter power to Portugal in the dispute over the boundaries between Brazil and Uruguay. France moreover had strongly supported Spain and the Family Compact was given new force and meaning. Vergennes gave to the Spanish ministry hopes of active assistance but was always careful to suggest that the best way of striking England was through her American possessions.[1]

Vergennes had an able assistant at the Spanish court in the person of the French ambassador, the Marquis d'Ossun who did all in his power to prevent an amicable understanding and fanned the embers of Spanish suspicion and hatred. Even when Portugal seemed inclined to settlement he sought to arouse Spanish distrust and suggested that England was planning to surprise Spain by a sudden attack during the conduct of peaceful negotiation. Ossun was greatly disconcerted when in October, 1775 Grimaldi received a frank communication from Pombal the Portuguese prime minister declaring the peaceful intentions of his country and asking for an amicable settlement of all difficulties.[2] Spain also was much surprised by the offer but was eager for peace and Ossun's efforts appeared entirely futile. The negotiations be-

1. Ossun to Vergennes. Oct. 23, 1775. Ossun actually drew up a plan of attack on Portugal and suggested various ways of checkmating Great Britain. Esp. 578, No. 57.

2. Ossun to Vergennes, Oct. 23, 1775. Espagne, 578, No. 57, 78.

tween Spain and Portugal continued rapidly, and before the end of the year the two powers had come to an understanding and agreed to suspend all warlike preparations during the course of the negotiations.[1]

There were other forces, however, working favorably for Vergennes' plans. While Spain was laboring for peace, the action of Great Britain in strengthening her forces in America was a source of anxiety. The danger of British aggression long urged by him was always present in the minds of the Spanish king and ministry, for their possessions in the New World were unprotected from attack and they feared that Great Britain would seek the first opportunity to turn her arms against them, especially against Louisiana. As early as April, 1775 Grimaldi, the minister of Charles III. declared to the British government that the "nearness of the English colonies in America to the possessions of Spain in that part of the world does not permit us to see without disquietude, such large forces by land and sea as are gathered there."[2] He further demanded a guarantee that the armaments of England "should not remain in America for a longer time than was necessary to quell the revolt. At the same time he gave assurances of Spain's pacific intentions and called attention to the fact that in spite of the immense increase of the British forces in America she had sent there neither troops nor ships of war.[2]

This policy of demanding guaranties of Great Britain did not meet the approval of Vergennes. He maintained that if France and Spain accepted such assurances they would be bound to remain defenceless, trusting only to the good faith of a treacherous enemy.[3] The two crowns must prepare for war, he wrote; let them increase their

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1. Ossun to Vergennes, Dec. 25, 1775. Espagne 578, no. 74, p. 460. In these negotiations Spain succeeded in detaching Portugal from the British alliance and thus removed a foe of the two crowns. Espagne, 578, no. 64.

2. Ossun to Vergennes, Apr. 25, 1775. Espagne, 575, no. 231.

3. Vergennes to Aranda, May 9, 1775. Espagne, 576, no. 20.

fleets and armies and be ready for any attack.[1] His boldness encouraged his timid ally, who promised to assist in any attack as soon as she could provide for the defence of her important colonies around the Gulf of Mexico.[1]

England soon became suspicious of the designs of her old foes and prepared to check them. She was anxious for peace but ready for war. The admiralty detached a fleet to hang upon the flanks of the Spanish navy and another to guard Gibraltar.[2] This belligerent attitude alarmed Spain and her fear of the superiority of the English fleet increased.[3] Torn by conflicting fears, she decided in favor of a neutral course, and yet planned to increase her forces in proportion to the additions to the British armament.[4] Grimaldi believed with Vergennes that as soon as the British crown settled its contest with its colonies it would turn its strength on the possessions of the two crowns. "Whatever the turn of affairs in the English colonies", he declared to Ossun, "the British ministry will determine to profit by her superior forces, to form some considerable enterprise against the Spanish or French colonies."[5] France though, he believed, would be the first to suffer from this attack. The necessity of meeting this threatened aggression, entered into all the plans of Grimaldi and led him to seek a closer understanding with the French court.

While Grimaldi and his king were seeking to keep Spain at peace, the Count d'Aranda, Spanish minister at Paris, was seeking to involve her in war. In February, 1776 Aranda asked for further in-

1. Montmorin to Vergennes. Espagne, 577, no. 126. Florida Blanca particularly mentioned Havana, Porto Rico, Vera Cruz, Carthagena, and Caracas.

2. Espagne, 577, no. 126.

3. Ossun to Vergennes. Espagne, 578, no. 59, p. 129.

4. Ossun to Vergennes. Espagne, 578, no. 62, p. 179.

5. Grimaldi to Aranda, Feb. 26, 1776. Espagne, 579, no. 73, p. 185.

structions as to the policy of his court towards America,[1] and soon after brought to Vergennes two letters containing Grimaldi's reply. These letters expressed fear that the English armaments would be turned against the possessions of the two crowns, but furthermore declared that Spain was preparing her fleet for hostilities. Soon after this Aranda submitted a memoir to his court in which he pointed out again the dangers of English aggression and urged the ministry to seize the opportunity and intervene in the ensuing war.[2] The pleadings of Aranda fell on deaf ears and the only result was that he was no longer entrusted with information on the policy of Spain.

By the first of March, 1776 Vergennes felt that the time had come to give more active aid to the colonies. He had proceeded cautiously and believed that English suspicions were asleep.[3] He felt too that he could count on the sympathy and aid of the Spanish court which he constantly reminded of the danger to its possessions from the aggressions of England and assured of his support and assistance.[4] In a letter to Ossun on April 1, 1776 he reiterated and summarized the policy set forth in his previous memoirs to the king, and applied the same principles to the interests of Spain. Again he pointed out that the interests of the two crowns demanded the prolongation of the war until both sides were enfeebled. He urged also that they should aid the colonies in every way possible though he agreed with Spain that it would not be according to their dignity to ally themselves with insurgents.[5]

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1. Espagne, 579, no. 74, pp. 189-191; Doniol, I, 133.

2. Espagne, 579, no. 81, p. 230.

3. So innocent did the British ministry appear of French designs that it was asking the aid of Vergennes to quell the rebellion in America. Doniol, I, 232, 395.

4. Espagne, 579, fol. 11, no. 116, p. 310.

5. Ibid, p. 311.

To this policy Grimaldi agreed and for a short time the war talk ceased. France was constantly aiding the Americans by supplies of money and munitions of war through the agency of Beaumarchais. Early in 1776 England succeeded in blockading many American ports and Vergennes decided to seek new means of aiding the colonists. In a letter of March 15, he suggested that Louisiana be made the base from which supplies could be carried to the provincials. Spain could fortify New Orleans, he argued, and could carry there what supplies she would and thence transport them to the Continental army.[1] Grimaldi saw the practicability of this suggestion and offered to give the French permission to use Louisiana for this purpose,[2] but declared that he could not strengthen New Orleans without arousing English suspicion and hostility. He refused also to furnish arms to the insurgents, for all those in the National Arsenals bore the royal stamp; but he promised to bear a part of the expenses of an undertaking if France would lead it.[3]

Vergennes replied that if Spain did not dare use her own possessions as a base to aid the colonies, France could hardly use them in safety. He again urged that Spain had abundant justification to fortify New Orleans because of the nearness of the war to her own frontiers.[4] This, however, Grimaldi obstinately regused to do and the matter was allowed to drop.[5]

By the middle of 1776 Vergennes had become convinced that war was necessary and impending. He did not wish to begin it, however, until he could be sure Spain would join in the struggle, and he

1. Espagne, 579, fol. 11, no. 166, p. 310.
2. Ibid, fol. 24, no. 143.
3. Ibid, 580, fol. 25, no. 2.
4. Ibid, fol. 16-17, no. 29 and 46.
5. Ibid, fol. 75, no. 76, p. 191.

urged his views through both Aranda and Ossun. Aranda lent willing ear to the words of the French minister and to his court displayed the picture of the loss of all its American possessions unless a determined effort was made to save them. He urged the danger of an English attack, particularly upon Louisiana and the West Indies.[1] Ossun likewise at Madrid constantly urged war to save the Spanish possessions from English aggression. During the remainder of 1776 there was constant discussion of war. All were agreed that there was great danger to the possessions of France and Spain in America, and that this danger arose from the immense forces of England in America, and all were agreed that another general war was inevitable.[2]

To these arguments Grimaldi gave no objection but he could not make up his mind in favor of war. He wished to adopt only a defensive policy and leave England to fight out her conflict undisturbed. His reasons against Spain's taking part in the war may be summarized as follows:- Spain has not enough resources to carry on a war. Her coasts and harbors are unfortified and will fall an easy prey to the enemy. The colonies of Spain were much more extensive than those of France, and in case of war Spain would risk infinitely more than her ally.[3] Grimaldi further declared that if Spain should enter into a war with England, her plans would in no wise concern themselves with the American conflict. Her purposes would be first of all to conquer Portugal, or at least a part of her dependencies, to destroy English commerce in the Mediterranean, and to reconquer Minorca and Jamaica.[4]

1. Espagne, 580, fol. 31, no. 57, p. 146.

2. This discussion may be found in Aff. Etr. Esp., 581, fol. 76 et seq. no. 97, and Vol. 582, no. 21-193.

3. Esp., 582, no. 69, p. 161. Grimaldi was especially worried about the island of St. Domingo which was unfortified. He begged Vergennes to send troops in its defence. Ossun to Vergennes. Espagne, 581, no. 57, p. 5.

4. Espagne, no. 69, p. 161.

Vergennes, however, insisted that any attack on England should be made in conjunction with the colonies, while Spain was bent on an independent course of conquest. Vergennes had no desire to add to his king's possessions but confined his ambition to the humiliation and defeat of England. To accomplish this he wished to raise up a new nation as a friend and dependant of France, and a perpetual barrier to English aggression in the New World. Even then he realized that the jealousy which would not allow France to regain a foothold in the New World would no more willingly permit England to increase her power there.

While Vergennes was carefully watching events in America and planning to aid the insurgents, the Continental Congress was discussing projects for obtaining foreign aid. On November 29, 1775 it appointed a committee of secret correspondence consisting of five members: Harrison, Franklin, Johnson, Dickinson, and Jay, to correspond with friends in all parts of the world.[1] During the first year of its existence the committee did very little but after the Declaration of Independence the project of obtaining foreign aid came at once to the front. On September 17, 1776 Congress resolved on a plan of treaty to be proposed to the king of France, Article IX of which provided that "the most christian king" shall never invade nor under any pretence attempt to possess himself of Labrador, New Britain, Nova Scotia, Acadia, Canada, Florida, nor any of the countries, cities, or towns on the continent of North America nor of the island of New Foundland, or of any other island lying near the coast of North America. Congress further declared its intention to annex these territories to the United States,[2] but assured Spain that it had no designs on her possessions and would in no case molest them.[3]

1. Secret Journals, II, 5.
2. Ibid, II, 11.
3. Ibid, II, 30.

At the same time Congress elected Benjamin Franklin, Silas Deane and Arthur Lee as American Commissioners to France[1] and appointed a committee to draft instructions for them. This committee reported on December 30 that if France should aid the United States in reducing Nova Scotia, Newfoundland and Cape Breton, the French people should be allowed equal rights of fishing there with the Americans to the exclusion of all others. The commissioners were also to offer France half of the island of Newfoundland provided that the province of Nova Scotia, the island of Cape Breton and the remainder of Newfoundland should be annexed to the United States.[2] If this offer was not sufficient to induce France to declare war against England and the commissioners were convinced that they could not get the aid of France in any other way, the committee urged that they be empowered to assure "his most christian majesty that such of the British West India islands as, in the course of the war shall be reduced by the united forces of France and the United States shall be yielded in absolute property to his most christian majesty." This committee also suggested that it would be advisable to get Spain into the alliance, and that in return for her aid the United States would assist her in the reduction of Pensacola, provided further that the people of the United States should have "the free and uninterrupted navigation of the Mississippi and the use of the harbor of Pensacola."[2] These instructions were approved and Congress thus declared its policy with regard to territories not included in the limits of the colonies. It was determined to hold on to the Mississippi valley and to as much of Canada as it could get.

Of these commissioners sent to France only Franklin was of first rate ability. Lee represented Congress in both France and Spain

1. Secret Journals, II, 71.

2. Ibid, 79, 40.

but never accomplished anything. He was chiefly instrumental in stirring up trouble and in arousing contentions with his colleagues. Silas Deane was in no sense a statesman but he showed great ability in obtaining supplies and in handling accounts. On his arrival at Paris Franklin took charge of political affairs while Deane managed the finances.

Franklin was undoubtedly the great statesman of the Revolution. He had accomplished much for his country before becoming commissioner to France but it was in Paris that he was to accomplish the great work of his life. A man of broad experience and wide attainments, he soon made himself master of the situation. His versatility and his genial sympathy made him fit easily into the distinctive characteristics of French life. The best known of all Americans, not only in politics but in philosophy and science, from the moment of his arrival he was a person to venerate and respect.

Franklin had long thought of the problems relating to the territories beyond the limits of the thirteen states, and the experience and projects of years were there to reinforce his ideas. As early as 1754 shortly after the Albany convention he had drawn up a plan for the settlement of the western colonies with reasons why this plan should be carried out.[1] Again in 1760, during the struggles of the last French war he had urged the importance of this section. "I have long been of the opinion", he wrote, "that the foundations of the future grandeur and stability of the British empire lie in America; and although, like other foundations they are low and are little seen they are, nevertheless, broad and strong enough to support the greatest political structure human wisdom ever has created. I am therefore by no means for restoring Canada. If we keep it, all the country from the St. Lawrence to the Mississippi will, in another century, be filled

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[1] Smyth, Franklin, Works, III, 758.

with British people."[1] Thus as early as 1760 Franklin had a more enlightened view of the west than did the leaders of the nation thirty years later. With a breadth of vision, greater than any other man of his day Franklin judged the grandeur of the west. In the same year he prepared a paper on the "Interest of Great Britain" in which he asserted that "while our strength at sea continues, the banks of the Ohio, in point of ease and expeditious conveyance of troops, are nearer to London, than the remore parts of France and Spain to their respective capitals; and much nearer than Connaught and Ulster were in the days of Queen Elizabeth."[2]

To Franklin's appreciation of the west and its resources, and to his foresight and watchfulness during the years of his residence in France, is due, more than to any other cause, the preservation of our influence in the Mississippi valley.

Franklin arrived at Paris the middle of December, 1776 and on the 23rd he with Deane and Arthur Lee addressed a note to Vergennes informing him of their mission and requesting an audience. This audience was granted, the commissioners were courteously received, and they submitted to Vergennes a sketch of a proposed treaty. This was the sketch agreed to in Congress the September preceding and provided that France should not make any conquests on the mainland of North America, but approved conquests made in the West Indies.[3] In a letter of the commissioners to Vergennes on January 5, they urged France and Spain to unite with the United States and deprive Great Britain of her West India possessions. They also offered to guarantee the possessions of France in the West Indies and such other conquests as she could make there.[4]

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1. Smyth, Franklin, Works, IV, 4.
2. Ibid, 72.
3. Wharton, Diplomatic Correspondence, II, 239, 244. Secret Journals, II, 11.
4. Wharton, Diplomatic Correspondence, II, 246.

To these proposals Vergennes returned no official answer and there is no record to show that he even discussed them with the Americans. He was, however, delighted at the moderation of their demands. At the suggestion of the commissioners, however, he conceived a new advantage that France could hope to gain through intervention. This advantage was a favorable commercial treaty by which France would get the trade that had hitherto flowed into English ports. To Vergennes the only advantage of colonies was commercial and if he could obtain for his country the trade of a vast territory without the expense of controlling it, he regarded this as of the greatest advantage. The commerce of the United States, he held, was great enough to justify France in renouncing all idea of the conquest of her former possessions in North America.[1] Under these circumstances Vergennes was perfectly willing to renounce all conquests on the continent of North America if the United States would guarantee the possessions of France in the West Indies. He did not, however, put much faith in the guarantee for he was assured of the faithlessness of republics in general.[2]

In the meantime Ossun had been urging action on the part of Spain. So favorably were his overtures received that he was convinced that Grimaldi was ready to enter into an offensive and defensive alliance against England.[3] Vergennes suggested that it would be enough to ask the United States for a favorable commercial treaty and for a guarantee of French possessions in America and he thought that Spain ought to be willing to accept the same terms. To this also Grimaldi agreed, and Vergennes felt that his plans were successful.

To this policy of war Vergennes added another condition. It should not be a war of conquest, and such material advantages as were gained should be merely incidental. In a conversation with Aranda on

1. Vergennes to Ossun. Espagne, 587, fol. 2, p. 15.
2. Vergennes to Ossun. Ibid, fol. 5, no. 20, p. 40.
3. Ossun to Vergennes. Ibid, fol. 8, no. 11, p. 116.

March 11 he declared that both France and Spain were satisfied with their vast possessions and were not ambitious of new acquisitions. The great end to be gained by war, he maintained, was the enfeeblement of England.[1] Soon after this Deane came to him with the proposal that the two powers should together attempt the conquest of Canada, Florida and all the British possessions in North America and the West Indies. In case of success France should have the right of fishing on the banks of Newfoundland, and full possession of the British West Indies, while to the United States should go the other conquests.[2] Vergennes made no reply to this proposition but took occasion to declare to his associates that France would not attempt the conquest of any new territories.[3] Thus early in 1777 Vergennes had formulated his policy. The United States were to be recognized with their limits as laid down before the Revolution while Great Britain was to be left in possession of all her other dominions.

In February, 1777 the timid and dilatory Grimaldi was succeeded as minister of foreign affairs by the energetic and ambitious Florida Blanca. Florida Blanca was intensely devoted to Charles III and to Spain, and was determined to follow a Spanish policy without regard to the interests of France. Intensely jealous of French influence, he laid out a policy that would make France a suppliant to Spain. No longer did the Spanish court promise to back up Vergennes in whatever policy he should pursue, but Spanish aid was henceforth to command its price and a price increasingly exorbitant. An intense royalist, he hated the new republic across the Atlantic and refused to have anything to do with the plan of Vergennes for a triple alliance. A strong imperialist, he sought only to recover the ancient dominions of

1. Vergennes to Ossun. Espagne, 583, no. 155, p. 388.

2. Etats-Unis, II.

3. Vergennes to Ossun. Espagne, 584, no. 21, p. 67.

Spain. His imperial and his royalist principles combined made him oppose the recognition of the United States and led him to seek in every way to restrain the limits of the western republic. Such was his dislike of the new nation that he refused to receive its representatives as long as possible and when he did receive them it was with coldness and reserve. This man was one of the most skillful diplomats of his day. In every point he overreached Vergennes and throughout the war and during the negotiations of peace he was the most skillful and determined enemy of the American cause. No longer was Vergennes able to discuss fully and openly with Franklin the prospects of the new republic. He must always consider the enmity and distrust of the Spanish minister.

Florida Blanca at first gave promise of being friendly to the policy of France:[1] His first opposition arose against the idea of Vergennes that the two nations should not seek any conquests, but should be content with a gaurantee of the territories then in their possession, and with a favorable commercial treaty. Spain was not a commercial nation and a treaty such as this proposed by the Americans did not appeal to her. She was still land hungry and desired to recover her ancient dominions.

At the very beginning of his ministry Florida Blanca wrote to Aranda that "the two monarchies will not surrender any of their principles of moderation if they seek to profit by some happy opportunity to recuperate by means of negotiation some of the territories which legitimately belong to them or which have been usurped from them by violence".[2] She desired to enfeeble England but she dreaded the growing power of the young nation in America. Already she regarded it as a rival for the possession of Florida and soon to be-

1. Ossun to Vergennes. Espagne, 582, fol. 101, no. 112, p. 248.

2. Copy in Affaires Etrangeres Espagne, 584, no. 4, p. 115.

come a contender for the vast territories west of the Mississippi. The policy of Florida Blanca was directly opposed to the interests of the United States, and such was his temper that there could be no compromise.

This policy of Florida Blanca differed from that of Vergennes in two vital points. First he was determined on peace and secondly he expected to gain territory in the new world. Furthermore there is no mention of recognition of the United States, which was the keystone of Vergennes' policy. The ideas announced by the Spanish minister throughout were to form a stumbling block to all the plans of the French Minister. The policy of the first was devoted to conquest, that of the latter opposed all acquisitions. Against Vergennes idea of war Florida Blanca set up the plan of peaceful negotiations. Later developments were to show how he was to conduct his negotiations They were to lead first to offers of mediation in which Spain was to be the dupe of England but finally, as Vergennes had prophesied, to war.

Against the ideas of Florida Blanca that the two nations should seek to recover their ancient dominions, Vergennes protested vigorously. "The French king does not recognize", he declared, "either in Canada or Europe any objects tempting enough for acquisition, to compensate, in his eyes, for the dangers, the calamities, and the exhaustion resulting from war".[1] He further declared that France had as many colonies as were necessary for her population and industry, and that more colonies would simply be a hindersome charge. "If the loss of Canada", he asserted, "had been painful to her (France), she ought to regret it less, since the forced abandonment of it has become the signal of revolt for the English provinces on the continent".[2] He went on to state, however, that France was much

1. Vergennes to Aranda. Espagne, 584, no. 4, p. 115.

2. Vergennes to Aranda. Ibid.

interested in the Newfoundland fisheries and desired concessions there. This decision of Vergennes was a serious blow to the ambitions of Spain. She cared nothing for the Newfoundland fisheries or for the commerce of the United States. Her greatest desire was to recover her ancient possessions, and for this she had been steadily preparing for war, and had increased her fleet in America.[1] If Vergennes had supported these ambitions of Spain, it is probable that Florida Blanca would have joined France at the very beginning of the war.

In spite of this disagreement between the two courts, they continued their preparations for war. The departments of marine of the two countries had formed in 1776 projects for patrolling the west Atlantic. Commanders of ships were ordered to watch carefully the movements of English vessels, especially those trying to enter the Gulf of Mexico or the waters of the West Indies.[2] The Spanish were to guard particularly the Gulf of Mexico and the approaches to New Orleans, while the French were to watch the West Indies.[3] The instructions further ordered that the commanders of both nations were to aid each other and to guard equally the interests of both crowns. Besides these naval preparations the Spanish court provided for the military defence of its colonies. An army corps was sent to St. Domingo and additional troops were despatched to Havana, Vera Cruz, and Porto Rico.[4] Special attention was paid to Louisiana, on account of its proximity to the British possessions. Many loyalists were fleeing from the Atlantic provinces and settling on the east bank of the Mississippi. In a memoir prepared by one of the Spanish officials of Louisiana

1. In 1776 Charles III ordered that the Spanish fleet in America be increased as that of England was increased. Ossun to Vergennes. Espagne, 581, fol. 76, no. 97, p. 252.

2. Archives de la Marine, B 4, 128, p. 194.

3. Ibid, p. 195.

4. Espagne, 583, fol. 24, no. 127, p. 401; fol. 37, no. 168, p. 401.

in 1776 it was recommended that the colony be placed in a state of defence against the English, who could easily come from Pensacola or Mobile, or even from Canada by way of the Ohio and Mississippi.[1] In response to these advices Spain determined to adopt a more vigorous policy and to provide for a stronger government. Early in 1777, Bernardo de Galvez was sent over as governor of Louisiana and preparations were made to begin the struggle along the Mississippi.

Galvez proved to be an able governor and a determined foe of the English. He was a young man and related to one of the noblest and most influential families of Spain. His father was viceroy of Mexico, and his uncle, Don Jose de Galvez, was president of the council of the Indies. Galvez entered with vigor on his administration. For several years the English had controlled the trade of the Mississippi but this soon ended. He seized all the British vessels in the river and all that dared to enter the port. In one day soon after his arrival eleven English vessels, laden with rich cargoes, were captured and condemned by his orders.[2]

At the beginning of 1777 the war party in Spain gained the ascendancy. The two most strenuous advocates of war were Galvez,[3] president of the council for the Indies, and Aranda, minister to France. Galvez was very bitter towards Great Britain and it was doubtless by his direction that the governor of Louisiana had destroyed British trade in the Mississippi. Aranda was even more hostile. He urged war continually and his earnest pleadings did not fail to produce an impression on the Catholic king.[4] Florida Blanca him-

1. Fortier, History of Louisiana, II, 25-33.

2. Ibid, 56, 57.

3. Ossun to Vergennes. Espagne, no. 163, p. 364.

4. Espagne, 587, fol. 7, no. 39, p. 88.

self seemed almost won over and ordered large reinforcements for Spanish America, and increased preparations for war.[1]

The belligerent attitude of France and Spain alarmed the British court. Stermount at Versailles and Grantham at Madrid demanded an explanation of the immense military and naval demonstrations in America. The English ministry declared its intentions were peaceful and offered to guarantee the Spanish possessions in North America.[2] Vergennes asserted that it was necessary to guard Spanish interests in America. Florida Blanca gave the same answer to English representations and declared that there was danger that the Spanish possessions would be seduced by the example of the English colonies.[3]

While Vergennes was bending every effort to bring Spain to the side of war the American commissioners were also seeking her alliance. Congress had hoped for Spanish aid and was prepared to offer liberal terms to get it. Soon after Franklin's arrival in Paris the commissioners decided to send Arthur Lee to Spain. He set out at once and arrived at Madrid early in March. According to his account he received some encouragement and was told that war probably would be begun within a year.[4] These negotiations, however, were with Grimaldi who had already given up the direction of foreign affairs. Lee intimated that he had opened negotiations with Florida Blanca himself, but the truth of the statement may well be doubted. Lee prepared a memorial to submit to Florida Blanca, but there is no evidence that the Spanish minister ever received it. Lee, however,did enter into communication with others in authority and to them he submitted his proposals. From Lee's own accounts and from information furnished by Ossun

1. Espagne, 583, fol. 24, no. 127; fol. 33, no. 168. Ibid, 584, fol. 30, no. 48.

2. Espagne, 584, fol. 30, no. 48, p. 138.

3. Ossun to Vergennes. Espagne, 584, fol. 60, no. 80, p. 207.

4. Wharton, Diplomatic Correspondence, II, 282.

to the French minister, it is apparent that he was willing to offer, in return for Spanish aid, assistance from Congress in the conquest of Florida, and full recognition of the rights of Spain to that province.[1]

While Spain was anxious to get Florida, she would not enter into any negotiations with the Americans until their independence was assured.[2] The king himself informed Ossun that the propositions submitted by Lee were premature. Spain was willing to aid the Americans secretly, but would not recognize their independence.[3]

Franklin then took a hand in the negotiations and wrote directly to Florida Blanca to ask the alliance of Spain. He promised that the United States would assist Spain to capture Pensacola, provided that the Americans should have the use of the harbor and the free navigation of the Mississippi.[4] He further offered American aid in the conquest of any of the English sugar isles. It is probable that Franklin wrote this letter at the suggestion of Vergennes. At any rate the French minister made quick use of it as an argument for Spain to enter the war. Previously he had asserted that neither France nor Spain had any use for new conquests. But now he began to dangle before the hungry eyes of the Spaniards, the conquest of the rich sugar isles of the Antilles. At the same time he repeated his former declaration that France did not wish any new territories.[5] Vergennes sought also to alarm the Spanish court by the suggestion that there was danger of a reconciliation between England and her colonies. If such should take place, he declared, the whole colonial em-

1. Wharton, Diplomatic Correspondence, II, 290. Espagne, 583, fol. 39, no. 184, p. 434.

2. Ossun to Vergennes. Ibid, p. 438.

3. Ossun to Vergennes. Ibid, 584, fol. 43, no. 12, p. 34.

4. Wharton, Diplomatic Correspondence, II, 304.

5. Vergennes to Montmorin. Espagne, 584, no. 21, p. 63.

pire of France and Spain would be endangered by English ambition.[1]

The representations of the British court were not without effect and it became apparent that the drift of war was away from war. Spain desired to keep things as they were. She feared the example of a new power in America would prove an evil example for her own colonies. The promises of the English crown backed up by her own powerful armaments in the West Indies were sufficient guarantees that Spanish America would not fall a prey to English conquest. The position of Vergennes had convinced Florida Blanca that France would make no serious effort to aid Spain in the reconquest of her former possessions and he declared to Ossun Spain had everything to lose and nothing to gain by war.[2]

The defection of Spain did not discourage or hinder the plan of Vergennes. He still favored an alliance with the Americans and still showed no desire to make any conquests from the British. On July 22 he presented a memoir to the king on French interests in the existing war. Here for the first time he takes a stand in regard to the disposition of British territory not in revolt. In answer to the argument that the new republic would soon forget its dependence on France and become dangerous to the possessions of the two crowns, he declared: "Canada in the hands of the English will be a disquietude to the north which will never be perfectly tranquil from fear of their neighbors, and will be a security that they(United States) will not break entirely with the two powers who shall have aided them."[3] By Canada Vergennes doubtless meant it according to the French geography which included all the territory north of the Ohio and between the Mississippi and Alleghanies, except the region of Illinois, and upon

1. Espagne, 584, no. 22, p. 65.

2. Ossun to Vergennes. Ibid, fol. 58, no. 75, p. 195.

3. Vergennes to Ossun. Ibid, 585, no. 56, p. 95.

this geography was to base many of his ideas of American rights.

From the despatches and memoirs of Vergennes before this time it is easy to perceive his policy towards America. It was to make the revolted colonies an independent nation, as a barrier to British aggressions. Beyond this he would go no further. It was of no interest to France to make the United States a great and extensive republic to extend whose boundaries would cost much blood and money. To the mind of Vergennes it would be well to hold the new nation in dependence on France and in antagonism to England. He looked only to maintaining the balance of power in America and to its reestablishment in Europe.

Vergennes soon renewed his efforts to form an offensive and defensive alliance with Spain against Great Britain. He reiterated the old arguments[1] and agreed that Spain should have compensation in territory. Great Britain had not maintained her attitude of cordiality and the Spanish court was again becoming anxious to raise its prestige by conquests from its powerful and ancient rival. To the representations of Ossun Florida Blanca insinuated that Spain would soon be ready for war, and promised to maintain the defensive alliance to aid France if Great Britain should attack her.[2] Vergennes now believed that his diplomacy had won and prepared for war. He was soon to learn, however, that his ally was not satisfied. Her greed for land was only made keener by this slight concession, and its increasing demands were long to be a care on the mind of the French minister.

1. Vergennes to Ossun. Espagne, 586, fol. 62, no. 104, p. 181.
2. Ibid, 586, fol. 103, no. 33, p. 50.

CHAPTER III.

THE FRENCH ALLIANCE.

In the policy of Vergennes America was but a club for the humiliation of England. The ambitions, the hopes, and the plans of the colonists beyond the desire for independence, were unknown to him, or at best discerned but vaguely. It was his policy to build up a nation in America, which would be a check on the aggrandizement of Britain, and yet not strong enough to threaten the possessions of Spain or endanger the balance of power. In America the forces of the disintegration of Britain were going and there remained for him the task of calling Spain into action. The powers of colonial hatred were at his service; could he also command the strength of Spanish jealousy and desire for revenge?

In the development of his policy after the assurance of a declaration of independence Vergennes showed little interest and less knowledge of the conditions and purposes of the revolted states. Since the mission of Bonvouloir until the news was at hand of the surrender of Burgoyne, neither France nor Spain had any representatives in America. Both countries had felt the need of better knowledge of conditions there, but neither had regarded the matter as important enough to command immediate action.

In July, 1777 Vergennes had suggested to Spain that each country should have some one in America, "wise, sensible, and discreet, who without character, or ostensible mission" should investigate conditions there.[1] For the duties of this position he thought a merchant would be best fitted.[2] In November Florida Blanca informed Ossun that

1. Vergennes to Ossun, July 21, 1777. Espagne,585, 45, no.53, p.91.

2. Vergennes to Ossun, Aug. 25, 1777. Ibid, 51, no. 137, p. 291.

he already had an agent in America. This man whom he called "Edouard" had been in the colonies before on matters of business and was regarded as possessing the qualities of prudence and skill necessary for a difficult mission.[1] Vergennes, however, still delayed. He gave as his reason the difficulty of finding a suitable agent. In November, however, he declared that he had in mind one who he thought, would be admirable and who should go at once by way of St. Domingo.[2] At the same time he asked the Spanish government to transmit to him any information it might receive, for he had seen vague inklings of great events in America.

For this mission Vergennes' final choice was Holker, though it is probable that his original selection was Beaumarchais.[3] Holker's instructions were given verbally but there is a minute of them in the French foreign office, dated November 25, 1777.[4] In this document there is no intimation that Vergennes knew the desires of Congress. Holker was to learn all he could of the situation of affairs and report them at once. He was further to represent to the Americans their need for some power to protect them from the resentment and covetousness of Great Britain who, it was assumed would always have the means of disturbing them from her position in Canada and the Floridas. Before Holker could take his departure, news came of the surrender of Burgoyne and he was given permission to concert with Congress a plan

1. Ossun to Vergennes, Nov. 8, 1777. Espagne, 586, no. 139. Doniol, II, 578-579. There is no mention of Edouard in the later negotiations of Spain. When Gerard, the French minister, landed at Philadelphia in 1778, he found Spain represented by Miralles. Gerard to Vergennes, July 16, 1778. Etats-Unis, IV, 97-102, no. 23.

2. Vergennes to Ossun, Nov., 1777. Espagne, 587, no. 17. Doniol, Histoire, II, 580.

3. Doniol, Histoire, II, 615.

4. Etats-Unis, II, fol. 266-267, no. 144. Vergennes probably received some information through the Duc de Broglie who heard often from his protege, De Kalb. There is no evidence to support the idea that De Balme, sent over by Deane in 1776, was a French agent. His movements received no consideration from the French government and there are no reports from him in its archives. Doniol, Histoire, II, 615.

of repelling the common enemy.

It is important also to bear in mind that the Frenchman's idea of boundaries in America never coincided with those of the Americans. It was over boundaries that the French and Indian wars were fought, and although the Frenchman was beaten in war and was compelled to give up all his territory in America, still he could not be made to rewrite his geographies. To him Canada still included the land north of the Ohio and between the Mississippi and Alleghanies,[1] while the country south of the Ohio was still eastern Louisiana. The English, also, in the Quebec Act had followed more closely French ideas of geography than those of their colonies. Thus it was that in 1778 a French officer describes the thirteen colonies as bounded on the north by Canada and on the west still by Canada and the Indian nations as far as the Mississippi river.[2] It is probable that he included within the borders of the Indian nations all that territory south of the Ohio and east of the Mississippi for he does not regard the thirteen colonies as anywhere touching Spanish Louisiana or the Mississippi. Vergennes' idea of Canada has already been shown in his memoir to the king, in which he declared that Canada in the hands of the English would be a guarantee of the fidelity of the United States.[3]

During the years 1770-77 France had paid little attention to Louisiana. The English had gained control of its commerce and there was nothing there to attract her. Vergennes had suggested in 1776 that Spain should use this province as a depot to furnish the Americans with supplies but had refused to use it for the French. The only other interest that France showed in this territory was purely commercial. In the foreign office there are some memoirs on the tobacco of

1. With the exception of Illinois, but this exception was not generally considered. C. W. Alvord.

2. Archives de la Marine, B 4, 144, no. 23.

3. Espagne, 585, no. 56, p. 95.

Louisiana, and Ossun recommended in January, 1777 that it should take the place of the Virginia tobacco which could be hardly obtained.[1]

There is no evidence that Vergennes had ever considered the question of the navigation of the Mississippi until called upon to defend the seizure of English vessels in the Mississippi by Galvez in February, 1777. Vergennes learned of this action of the Spanish governor through the newspapers about the first of October. At that time he did not know that the English would complain, but he declared that any protest could not be founded on the common law of America where each nation reserved to itself its exclusive navigation and its own commerce. He held that the English had no more right to carry on commerce on the right bank of the Mississippi than the French had to trade along the coasts of North America where all French ships were arrested and seized.[2] It is clear from this that Vergennes had not come to the Spanish view of the exclusive navigation of the Mississippi for he described the Spanish rights to the right bank of the Mississippi by an argument which clearly infers that the English had an equal claim to control the commerce of the left bank.

Spain did not in any way commit herself on the subject of the navigation of the Mississippi until, as previously noticed, the governor of Louisiana seized the English ships in the river. Just what instructions the ministry had given the governor is not certain but it has already been shown that his act was in accord with the policy of Galvez, the president of the council for the Indies. In October, 1777 Ossun wrote to Vergennes that Spain held to the opinion that England did not have the right to navigate the Mississippi or to deposit merchandise at its mouth.[3] Spain maintained that England had

1. Ossun to Vergennes. Espagne, 583, no. 52, p. 140.
2. Vergennes to Ossun, Oct. 7, 1777. Ibid, 586, fol.63, no.105, p.185
3. Ossun to Vergennes. Ibid, fol. 118, no. 138, p. 278.

not done this without opposition and the silence with which she received the news of the seizure of her ships in the river gave grounds for Spain to hold that England acquiesced in her position.

Congress had formed no fixed policy in regard to the territories but it was anxious to extend the boundaries of the United States as far as possible. The instructions to the commissioners in Paris had required them to seek French aid to conquer Canada, and there were various projects to occupy Florida and the Mississippi valley. Congress really felt secure in the belief that the Mississippi valley was an integral part of the thirteen united colonies and did not regard it as a subject for negotiation. It was clearly perceived, however, among the Americans that Spain desired to control the Mississippi river. This subject was first broached by Franklin in his negotiations with Florida Blanca in 1777 when before the Spanish minister could declare his intentions, Franklin demanded that Spain should recognize the right of his countrymen to navigate the Mississippi.[1] These questions, however, had no influence on Vergennes' policy of war. He had no interest in the navigation of the Mississippi or in the disposition of the western territories. He was going to war to effect the humiliation of England, to raise the prestige of France. The whole administration had foreseen the outbreak of hostilities and was prepared to face any contingency. The French people had come to recognize that the war in America was a revolution and accepted with enthusiasm the fact of the birth of a new nation.[2] It was felt also that Great Britain desired war to secure indemnity for her losses, and France was willing to meet it.[3]

The Archives of the Marine contain numerous plans of naval

1. Franklin, Writings (Smyth ed.), VII, 40.

2. Archives de la Marine, B 4, 172.

3. Ibid, 25.

and military operations against the English. In 1776 there was drawn up a series of instructions corresponding to those of Spain for the fleets of observation to be stationed in the Windward islands and St. Domingo.[1] Throughout the year 1777 there were collected volumes of information on the condition of the English fleet.[2] In the same year the naval department prepared a plan of war to be undertaken in concert with Spain.[3] The naval heads recognized the extreme weakness of both France and Spain in the West Indies and feared the loss of their possessions there. They believed, however, that the Americans would soon be in position to attack Canada and Florida, in which case, it was asserted, Great Britain would lose entire possession of those territories. There was, however, no suggestion that France should attempt to seize them. In fact it was the plan of the naval department to make the war largely defensive: to protect the coasts of France and Spain and to hold the colonies. Their principal points of attack were to be Gibraltar, Jamaica, Granada and Mahon and if possible they hoped to make a descent on England and Ireland.[4]

The great task of Vergennes was to secure the alliance of Spain. Grimaldi had long since declared his willingness for war and had even prepared a memoir in which he proposed that the two powers should begin the struggle in 1778[5], and asked only that the contest be postponed until the Spanish treasure ships should come in. They had long since arrived with all their store of wealth[6] but still Spain hesitated. To the urgings of the French minister the Spanish govern-

1. Archives de la Marine, B 4, 128.
2. Ibid, 129-131.
3. Ibid, 175.
4. Ibid, 135, pp. 30-41.
5. Ossun to Vergennes. Espagne, 585, no. 100.
6. Ibid, no. 106, p. 211.

ment replied that it was not yet ready. [illegible] while Montmorin had succeeded Ossun as French minister at Madrid and upon him fell the task of drawing Spain into the war. It had been apparent to Vergennes for some time that Spain was anxious for peace and so, almost immediately after receiving the news of Burgoyne's surrender, he wrote to Montmorin urging new reasons why she should join the alliance. He reminded the Spanish government that the American commissioners had renewed their offer to guarantee the possessions of the two crowns in the New World and had given assurance that their government would never raise any difficulty on the question of boundaries. "It is easy to see the great advantage to Spain of the absolute separation of old and new England", he argued, "and the security and tranquillity which it will give her."[1] He suggested also that "perhaps Spain still regrets the loss of Florida which gives to the English an easy access to the Gulf of Mexico". He probably knew that Arthur Lee had already offered Florida to the Spaniards, but he cautiously continued, "I do not know what the Americans think in regard to this....but it is natural to suppose that they would not hold very strongly to a thing that they do not yet possess, and which, it seems to me is not of much importance to them. They are still too young to have ambitious views to open up an interloping commerce".[1] Vergennes had not yet seen the importance of the territorial question in the war. He was bidding high for the help of Spain, but it did not occur to him to offer more of the mainland of North America than the Floridas.

These suggestions of Vergennes were submitted by Montmorin to Florida Blanca, Grimaldi's successor, but the Spanish minister interposed many objections. He claimed that the Spanish fleet was not in shape for war.[2] He argued that the Americans were simply playing

1. Vergennes to Montmorin. Espagne, 587, no. 103, p. 197.

2. Montmorin to Vergennes. Ibid, no. 125, p. 264.

a game and throughout showed the greatest repugnance to treating with them. Even after his first rebuff Montmorin did not give up hope. Again and again he urged Florida Blanca to enter the alliance.[1] Finally on January 4 the Spanish minister answered him brusquely, "Your court wants to treat with the Americans. War will result and there is neither object in beginning it nor plan to conduct it."[2]

In England the news of Burgoyne's surrender produced a feeling of despair. Conciliatory bills were introduced into Parliament with the consent of Lord North and a commission was appointed to attempt conciliation. The British had also been watching attentively the situation in France and were hourly expecting war. They were, however, anxiously hoping for peace and prepared to make every effort to maintain it.

In January Mr. Hutton, chief of the Moravian brothers in England and America, came from London to Paris. He was a friend of the king and queen of England and also of Dr. Franklin. Before leaving London he held a long conversation with the king in which he was told to grant the Americans anything but independence. The visit of Hutton created quite a stir in Paris and there was considerable fear that he would succeed in effecting a reconciliation.[4] Franklin, however, was found uncompromising in his desire for independence. To Hutton's request that he make propositions of peace and reconciliation, Franklin replied that the first offers must come from England.[5] It was in this negotiation that Franklin first suggested the plan that was later employed so skillfully by him of appealing to the magnanimi-

1. Espagne, 587, no. 140.
2. Ibid, 586, no. 1.
3. Doniol, II, 707.
4. Franklin, Works (Smyth ed.), VII, 100.
5. Ibid, 771.

ty and good will of the British nation. "You should not only grant such as the necessity of your affairs may evidently oblige you to grant, but such additional ones as may show your generosity and may thereby demonstrate your good will. For instance, perhaps you might, by your Treaty retain all Canada, Nova Scotia, and the Floridas. But if you would have a real friendly, perhaps able ally in America, and avoid all occasions of future discord, which will otherwise be continually arising on your American frontiers, you should throw in those Countries. And you may call it if you please, an Indemnification for the needless and cruel burning of their Towns, which Indemnification will otherwise be sometime or other demanded."[1]

The debates in Parliament on the American question were long and bitter. Shelburne contended that if the rebellious colonies were to secure their independence they would not stay at that. He expressed his high opinion of the moderation of the American people but declared that Congress looked further and were likely to inspire them with hopes of conquest and extent of dominion. "Should this be the case," he declared, "the remainder of America must fall". He spoke of the demands of the American commissioners and asserted that they would ultimately lead to the loss of the West Indies and even Ireland.[2] It was clear that England was not yet ready to grant independence to the revolted colonies so the negotiations in regard to giving up her claims to other territory were premature.

News of the surrender of Burgoyne reached Paris December 7, 1777. On the next day the American commissioners presented their request for a treaty of amity and commerce and offered to join France and Spain in a war on England.[3] This time Vergennes gave immediate

1. Franklin, Works (Smyth ed.), VII, 100.

2. Parliamentary Register, X, 380. See also Benj. Vaughn to Franklin, April 23, 1778. Franklin, Works (Smyth ed.), VII, 151.

3. Vergennes to Montmorin. Espagne, 587, fol. 99.

consideration to their demands. Both to the commissioners and his associates in the government he declared that he would ask nothing that would embarrass Congress. All he wished was the guarantee of French possessions in America.[1] The reluctance of Spain to enter into a new war did not prevent Vergennes from continuing his plans. On January 7, 1778 a meeting of the cabinet was held at the home of Maurepas who was ill and the whole political situation was gone over. Vergennes read to the king a long memoir on the state of affairs in America. He pointed out that England would probably try to make an armistice with the colonies and would then be in a position to attack French and Spanish possessions in the West Indies. England needs only to keep New York, he argued, to serve as a base of attack against our possessions. "The exclusive navigation of the Mississippi", he continued. "which will make the possessions of Mexico precarious will be in itself a powerful bait for the colonies." And he believed that unless France won their friendship they would ultimately unite with England against the possessions of the two monarchies.[2] If England should recognize the independence of the colonies at once, Vergennes declared, she could not attack the French and Spanish possessions with impunity. This memoir was approved by the king and may be taken as the expression of the policy of the ministry at the beginning of the war. In it again there is no mention of French conquests but only of the necessity of going to war to protect what France already held.

In spite of the urgent demands of the French, Florida Blanca still hesitated. The Spanish West Indies were poorly protected and there were many places open to attack. He declared to Aranda that France could hope to gain many advantages from a war with England while there was nothing for Spain.[3] France could look to the conquest

1. Vergennes to Montmorin, Dec. 11, 1777. Espagne, 587, fol.99, p.131.
2. Vergennes to Montmorin. Espagne, 588, fol. 17, no. 10.
3. Florida Blanca to Aranda. Espagne, 588, no. 21, p. 69.

of English islands and of the fisheries of Newfoundland; conquests which she could hold by the strength of her naval power.[1] As for Spain, she could have no purpose in going to war unless it was to recover some of the places which England had so shamefully usurped. He mentioned in particular Gibraltar and Minorca.[2] But he desired also to drive the English from the Gulf of Mexico, the Bay of Honduras and the coast of Campeche. Although he did not mention Florida, his plan to drive the English from the Gulf of Mexico would necessarily include the conquest of that province.

There is no doubt but that the enmity of Spain to England was genuine and deep. The whole Spanish policy had been hostile to the British court. Spain had complained vigorously against the great armaments which England was establishing in America and had correspondingly increased her own. England had recognized the danger and had sought to divert it. But it was not her diplomacy that kept Spain from going to war. The reasons for Spain's inertia go back to several conditions. Spain was mortally afraid of losing her possessions before the overwhelming power of the British navy. She knew that her finances were not in condition for war and that they would be further crippled by the cutting off of the supply of precious metal from her American possessions. And then, as Florida Blanca declared, "between England and America there is a sort of equality of enmity that it makes it difficult to desire that either of them would win." He did declare, however, that there were just two things that would induce Spain to enter any arrangement with the Americans. These were Florida and an establishment in Newfoundland.[3] The Spanish desired Florida because it was the key to the Gulf of Mexico which they wished to make

1. Montmorin to Vergennes, Espagne, 588, no.58, p.139
2. Montmorin to Vergennes, March 30, 1778. Ibid, no. 21. p. 64.
3. Montmorin to Vergennes. Ibid, fol. 11, no. 80, p. 219.

a Spanish lake. It was a source of great annoyance to them that their ships could not get from New Orleans into the ocean without almost touching the coasts of an English province. As to Newfoundland, it was recognized that a colony there could be gained only after considerable difficulty, for the jealousy of the Americans was constantly on guard to see that no Latin power should build up near them.

That it was impossible for Spain to obtain any territory contiguous to the boundaries of the United States without the consent of Congress was recognized by the ministers of both the Bourbon kingdoms. Florida Blanca implied as much when he declared that only the hope of obtaining Florida and a part of Newfoundland could induce him to enter into negotiations with Congress. Vergennes declared the same thing in his instructions to Gerard on his departure for America.[1]

Vergennes throughout maintained moderation in his expectations for both France and Spain. He repeatedly declared that France wnated no conquests and that her sole desire was to enfeeble England and raise France once more to the rank of a first class power. Neither the expulsion of the English commissioners from Dunkirk, nor a further limitation of the rights of fishing in Newfoundland, nor even the recovery of the islands of St. Domingo or Grenada would be objects salient enough to invite war.[2] He declared his willingness, however, if Spain would aid in the war, to help her recapture the important places of Gibraltar and Mahon and to expel the English from the Gulf of Mexico, the Bay of Honduras and the coast of Campeche.[3] Nothing however could induce Florida Blanca to enter into a treaty. To the urgings of Montmorin he replied, "You regard the actual circumstances as most happy for the two crowns: I regard them as most fatal for Spain."[4]

1. Vergennes to Gerard. Etats-Unis, III, fol. 159-164, no. 77.
2. Vergennes to Montmorin. Espagne, 588, no. 60.
3. Vergennes to Montmorin. Ibid, fol. 24, no. 150, p. 300.
4. Ibid, no. 38.

In spite of the declared intention of Spain to remain at peace France continued her preparations for war. The minister of marine drew up an elaborate plan of war which provided for attacks on English possessions throughout the world.[1] French forces were to be sent into the far East, against the British islands in the Atlantic and in the Antilles. France was ready for war and was holding back only in the hope that Spain would join her.

Great Britain realized the seriousness of affairs. Lord Stormount, her ambassador at Paris, who had previously been so insistent on the maintenance of French neutrality, at the beginning of the year relapsed into silence. Garnier, the French ambassador, wrote from London that England regarded herself as already at war with France and on February 2 Sartines asked for an embargo on English ships in French ports;[2] on the 4th arrived despatches from Madrid that Spain would not take part in the war, and on the evening of the 6th the ministers of Louis XVI and the American commissioners signed the treaties which Congress had so long awaited.

In the treaty of alliance the second article declared its purpose to maintain effectually the liberty, sovereignty and independence of the United States. This treaty provided for mutual aid in making conquests and declared that all conquests made on the continent of North America or the Bermudas should belong to the United States, and France finally renounced any claim to any part of the mainland of North America which belonged to Great Britain. France was to have all conquests made in or around the Gulf of Mexico. This treaty also contained a mutual guarantee of all the possessions of either power in North America and the terms of the alliance.[3]

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1. Archives de la Marine, B 4, 135, pp. 80-100.

2. Doniol, Histoire, II, 747.

3. Treaties and Conventions, pp. 242-247.

The provisions in regard to the territories were in accord with the instructions of the commissioners of Congress and did not at any point antagonize the policy of Vergennes. He still insisted that all France desired was the separation of the colonies from the mother country and the consequent enfeeblement of England.[1] The American commissioners were likewise satisfied with their treaty and wrote to Congress that the terms were such as they might readily have agreed to if the United States were in a condition of full prosperity and established power.[2]

This treaty of alliance meant war. On March 10 Vergennes wrote to the French embassy at London enclosing a copy of the articles. The messenger arrived at his destination on the 17th and on the 17th England declared war.[3] At the time when Vergennes signed the treaty of alliance with the United States he had good reason to hope that Spain would soon accede to it. The historic kinship and union of the two Bourbon crowns, their common hatred of England and their common interest in humiliating her all induced Vergennes to expect a united front against her. Furthermore, Spain had promised to aid France if England attacked her and had intimated that war would soon begin. Although during the few months preceding the treaty between France and the United States, Spain had looked coldly on the suggestion of war, still Vergennes had no doubt but that she would join France as soon as hostilities began. Spain has more to gain than France, he argued. Both nations are equally interested in reducing the prestige of Great Britain, but while France neither expects nor desires any aggrandizement, Spain will have many opportunities to make rich and valuable conquests.

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1. Espagne, 588, fol. 25, no. 155, p. 300.

2. Wharton, Diplomatic Correspondence, II, 490.

3. Doniol, Histoire, II, 822.

The instructions which Vergennes gave to Gerard, the first French minister to the United States, look to the Spanish alliance. He made it one of the most important points of these instructions to look after the interests of Spain and he urged his minister to use every effort to get Florida for a Spanish colony. These instructions also are in accord with the whole policy of Vergennes. As has been shown already, the central aim of his statecraft was to weaken England and to lower her prestige, by this means relatively increasing the importance and influence of France. In recognizing the United States of America he believed he was erecting a powerful bulwark against the dominance of the British Empire, while at the same time weakening it by cutting it in two. He early recognized the impossibility of obtaining territories on the continent of North America on account of the jealousy of the Americans. He felt too that France had no use for any colonies to sustain which would drain the mother country of her resources. More than once he declared that France had already all the colonies her population and industry could support. He looked abroad only for advantages that could be reaped by the French people while still claiming their residence at home. He showed eagerness only for such things as fishing posts, sugar producing islands or ports where French ships could trade to advantage. Vergennes felt that extensive territories were a source of weakness, entailing heavy expense, and of less value from a commercial standpoint than small colonies.

Although Vergennes did not wish any conquests in North America, he was unwilling to turn over the whole continent to the United States. He had given recognition to the new republic as a step in the downfall of Britain and in order to insure the permanency of his work he felt that the United States must be kept in dependence on France. In the light of this policy he issued his instructions to Gerard. In regard to the propositions of the American commissioners that France

should aid in the conquest of Canada, Nova Scotia and Florida, Vergennes declared that the king considered "the possession of these three countries or at least of Canada, by England would be a useful cause of disquietude and vigilance for the Americans which will make them see all the more the need which they have of the friendship and alliance of the king and which it is not to his interest to destroy."[1] He was not, however, wedded to the idea of limiting the boundaries of the United States. Gerard was left much discretion in regard to this matter, and by all means, he was to keep the good will of Congress. If Congress proposed any conquests he was to assure it of the friendship of the king but was not to enter into any formal engagement to effect its desires. If Congress should become too pressing Gerard was not to refuse to cooperate but he was to make it understood that the retention of such conquest need not be a condition of the next peace! In no case was he bound by hard and fast rules but was to use his discretion. That he did so is amply proved by the history of his career in America.

When Gerard arrived in Philadelphia he found that Spain already had an agent there. Don Juan de Muralles had arrived from Havana several months before but he was not accredited to Congress. His powers were merely those of a secret agent. He had spent the month of January at Charleston, South Carolina and had been very active among the revolutionists. From Charleston he had gone to Philadelphia and had established an acquaintance with various members of Congress, and apparently had secured their confidence.[2] Gerard and Muralles soon became firm and confidential friends. Muralles, however, did not show his instructions to Gerard but soon made evident the attitude of Spain in regard to the territories. He exerted himself to show the advanta-

1. Vergennes to Gerard. Etats-Unis, III, fol. 159-164, no. 77.

2. Vergennes to Gerard. Ibid, IV, fol. 142-147, no. 41.

ges that would result if France would undertake the conquest of Canada, and give to Spain all other territory acquired by the English in the treaty of 1763 and the exclusive navigation of the Mississippi. The suggestion that France should conquer Canada made no impression on Gerard who understood that the policy of Vergennes was not to make conquests on the American continent. He, however, transmitted the suggestions of Muralles to the French court in his despatch of July 25, 1778.[1] He decided in the meanwhile to obey his instructions and held out no particular intimation to Muralles that France would conquer Canada or interfere with its conquest by the Americans.

To Congress the treaty of alliance and the promise of French aid brought renewed hopes of the conquest of Canada. Washington had always been eager to get the British possessions along the St. Lawrence and the failure of the early expeditions had not discouraged him. Gerard had been instructed to promise the Americans both military and naval aid and this was counted on to help in the expedition. D'Estaing had left Toulon soon after the outbreak of hostilities with a powerful fleet and had arrived in America in July. Shortly afterwards he wrote to Gerard concerning his operations. He was evidently informed of the ambition of France to get a share of the Newfoundland fisheries. His instructions had named St. Johns as a promising point of attack, but he understood that Vergennes preferred Newfoundland as the home of the fisheries.[2] D'Estaing further expressed the opinion that as St. Johns was but a little island Spain would not be satisfied with it. The Spanish monarchy, he wrote, was "possessed of a territorial mania and always felt itself ill used unless the compass of its territory was as large as the map." He suggested that the easiest solution would be to turn over St. Johns and Newfoundland to the Ameri-

1. Vergennes to Gerard. Etats-Unis, IV, fol. 142-147, no. 41.

2. Gerard to Vergennes. Etats-Unis, IV, fol. 95-96, no. 22.

cans and seek compensation elsewhere.[1] Gerard considered the whole proposition as worthy of serious consideration, and submitted it to Vergennes.

Long before the project of invading Canada was formally considered Gerard was aware that it was likely to come up, and even foretold the time and manner. On July 16 he wrote to Vergennes of the whole affair and gave the arguments of the Americans.[2] These were in brief the danger to the United States of Great Britain were allowed to keep both Canada and Florida. At this time, however, Gerard did not believe that the Americans would demand the assistance of French troops for the conquest of either. In September, 1778 Washington submitted a plan of invading Canada subject only to the condition that the British could be driven out of certain posts in the north. He considered such an expedition of prime importance, but was not very sanguine of results.[3]

In the meantime Lafayette had conceived a plan of his own to invade Canada. He hoped to get five thousand troops from France and with twelve thousand continentals to make a descent on this province from Detroit, Niagara, and the Connecticut river, while the French fleet was to sail up the St. Lawrence. On September 7 he wrote to Washington suggesting that the next move should be the occupation of Canada.[4] A week later he wrote to his friend D'Estaing whom he expected to meet at Boston, "I can think of nothing but the happiness of being united with you, of Halifax surrendering, of St. Augustine taken, of the British islands on fire, and all confessing that nothing can withstand the French.[5] This was but an outburst of patriotic en-

1. Gerard to Vergennes. Etats-Unis, IV, fol. 90, no. 20.
2. Gerard to Vergennes. Ibid, fol. 97-102, no. 27.
3. Washington, Writings (Ford ed.), VII, 192-198.
4. Memoires, Correspondance et Manuscrits des-- Lafayette, I, 208.
5. Tomers, Lafayette, II, 14.

thusiasm and was entirely opposed to the plans of Vergennes who was expected to aid the expedition. Lafayette succeeded, however, in arousing the interest of D'Estaing and of several members of Congress.

Early in October Lafayette made a visit to Washington where it is probable he again suggested the expedition to his chief. From there he proceeded to Philadelphia where he at once presented his plan to Congress. Such was his eloquence and enthusiasm that he received a favorable report on it, and the plan was ordered transmitted to Franklin for submission to the minister of foreign affairs.[1] Congress regarded the conquest of Halifax and Quebec as objects of the greatest importance to both powers. To France it would give the fisheries of Newfoundland and a share in the fur trade and commerce of the country, and to the Americans it would give peace on the frontiers and add two new states to the union. In answer to its queries Lafayette expressed the belief that his court would be glad to cooperate in the enterprise and would send a body of troops to aid it.[2]

Morris sought to sound Gerard as to his views of the expedition. He declared that without the conquest of Canada France could not hope to get control of the fisheries, and expressed his willingness to see Newfoundland in the hands of the French.[2] Morris argued that with Canada in the hands of England, the United States must become friends to her on account of their common interests. Furthermore he argued that the possession of Canada was necessary to the development of the west if Spain succeeded in closing the Mississippi.[3] To all these arguments Gerard replied vaguely that he was sure the king, his master, had the greatest good will for the interests of the American people. To Vergennes, however, he expressed the belief that the

1. Secret Journals, II, 114.
2. Gerard to Vergennes, Oct. 20, 1778. Etats-Unis, V, fol. 68-84, no. 33.
3. Gerard to Vergennes, Oct. 20, 1778. Ibid, fol. 68, no. 33; fol. 82, 84.

expedition would not be undertaken, for he knew that Washington could not spare any troops unless the British evacuated New York.

D'Estaing knew that France did not desire the conquest of Canada. Nevertheless he issued a proclamation to the Canadians urging them to arise against the common enemy and assuring them of the great benefits of a union with their neighbors to the south.[1] This proclamation did create a feeling of uneasiness among the Canadians but it gave a bad impression of French motives to Washington and Congress.[2] On November 11 Washington wrote to Congress disapproving the scheme. He expressed himself as anxious for the annexation of Canada but declared that the army was not in condition to undertake it.[3]

There were, however, other than military reasons why Washington opposed an attack on Canada. In a personal letter to Henry Laurens, dated November 14, he gave as an insurmountable objection the "introduction of a large body of French troops into Canada, and putting them into possession of the capital of that province, attached to them by all the ties of blood, habits, manners, religion, and former connexion of government. I fear this would be too great a temptation", he wrote, "to be resisted by any power actuated by the common maxims of national policy. Let us realize for a moment, the striking advantages France would derive from the possession of Canada; the acquisition of an extensive territory, abounding in supplies for the use of her Islands; the opening a vast source of the most beneficial commerce with the Indian nations, which she might then monopolize; the having ports of her own on this continent independent of the precarious good will of an ally; the engrossing of the whole trade of Newfoundland, whenever she pleased, the finest nursery of seamen in the world; the

1. Archives de la Marine, B 4, 220.

2. Kingsford, History of Canada, VI, 330.

3. Washington, Writings (Ford ed.), VII, 240.

security afforded to her Islands, and finally, the facility of awing and controlling these states, the natural and most formidable rival of every maratime power of Europe." Washington feared that France in possession of Canada would become the most powerful maritime power of Europe and joined with Spain in the possession of New Orleans would become the dictator of all America. He believed that France, once in possession of Canada could find excuses for keeping it in spite of any pledges she might make to the contrary. In conjunction with Spain he felt she could drive Great Britain from the seas and the English speaking world would become her subjects.[1]

The opposition of Washington gave a death blow to the project of invading Canada. On November 19 Congress voted the expedition impractical and wrote to Lafayette that the project was abandoned on account of the difficulties in the way.[2]

On the question of Canada Washington and Vergennes expressed almost identical views. Both understood that if France once got possession of the country it would be difficult for her to give it up. Both saw the injustice of asking the French king to act in a conquest to add to the dominions of the new republic without offering him adequate compensation. Both realized the power which the possession of Canada would give to France and both knew that with the French established on their northern border the United States would inevitably return to the protection of England.

Washington, secure in his knowledge of the great advantages France could obtain from peaceful occupation of Canada, did not know that Vergennes had come to understand and appreciate the American point of view. The suggestion of Lafayette further aroused his suspicions, and even aroused doubts in his mind of the sincerity of the

1. Washington, Writings (Ford ed.), VII, 261-264.

2. Secret Journals, II, 125-129.

young Frenchman[4] and he fancied that he read in the faces of others more than the disinterested zeal of allies. Many of the French soldiers in the American army favored the expedition. De Kalb urged the French to help conquer Canada for the United States. If it is left in the possession of England, he argued, the revolted colonies will soon return to the British yoke.[2]

Vergennes regarded this proposed expedition against Canada as devoid of political significance. It may be of value as a military demonstration, he admitted, but France can not lend her weight to the annexation of Canada by the United States.[3] To Gerard, he wrote, declaring that the French court still maintained the policy toward Canada that he had indicated in his first instructions. He still preferred that England should keep Canada and Nova Scotia, but if the United States still insisted on some acquisition it was better to give them Nova Scotia.[4] He recognized the American desire for Canada and the difficulty of getting Congress to give it up but felt that the desire to conquer it should not be an excuse for continuing the war. "We think that peace ought not depend on secondary matters", he wrote, "and that the only point important to the United States is the recognition of their independence. We do not hesitate to stipulate in favor of Great Britain for the preservation of her actual possessions in North America." As to the proposal of Miralles, the Spanish agent, that France should seize Canada Vergennes replied decidedly in the negative. Such a course, he argued, would arouse distrust in America of the purposes of France, and bring about insensibly a rapprochement with Great Britain and such an understanding he declared would make

1. Washington, Writings (Ford ed.), VII, 264.
2. De Kalb to Broglie, Nov. 7, 1778. Etats-Unis, V, fol.146, 147,no.67
3. Vergennes to Gerard, Nov. 13, 1778. Ibid, fol. 179-185, no. 85.
4. Vergennes to Gerard, Oct. 26, 1778. Ibid, fol. 105-118, no. 47.

futile the whole war.[1]

Vergennes knew the jealousy of Spain for the United States, and her fear of seeing them in possession of Canada, and he did not wish to take any stand that would incur her displeasure. In February, 1779, he wrote to Gerard declaring that the question of Canada could not then be determined, but in the meantime he was to "urge the Americans to make every effort in their power against the common enemy. It does not matter in what point but let them do all the harm they can. If they succeed in taking Quebec and Halifax, well and good, for if this becomes a condition of peace we can at least find other measures to reassure the court of Madrid."[2]

Although Canada was not sought after by either France or Spain, the Floridas were, from the first, an object of cupidity. Spain had never forgotten her ancient dominions there and had never forgiven Great Britain for taking them from her. This fact was known to both France and the United States and was used as a lever to gain her help. In December, 1776 Congress had decided to offer the assistance of the United States in the conquest of Florida for Spain in return for her assistance; and the next summer Arthur Lee had journeyed to Madrid to make a treaty to this effect.[3] His efforts were unavailing, but the French minister at the court of Spain had, during the negotiations leading up to the alliance between France and the United States renewed the offer, again without success. Spain acknowledged her desire to get possession of the province and Vergennes had continually held it as a prize dangling before her eyes. It was tacitly understood that at any time if Spain chose to join the alliance against Great Britain she could have this as a reward for her services. Aside

1. Vergennes to Gerard, Oct. 26, 1778. Etats-Unis, V, fol. 105-113, no. 47.

2. Vergennes to Gerard. Etats-Unis, VII, fol. 250-259, no. 101.

3. Secret Journals, II, 49.

from a sentimental interest in keeping all her ancient empire Spain had certain permanent interests in the Floridas. They commanded the entrance to the Gulf of Mexico which she wished to make a Spanish lake and as long as England held them she could threaten New Orleans, Vera Cruz and Havana. Through her right to navigate the Mississippi England had made Pensacola an important emporium of trade and thus seriously cut into the commercial importance of New Orleans.

It is not clear just how fully Vergennes was acquainted with Spain's ambitions to recover the Floridas before he signed the alliance with the Americans, but he understood the Spanish enough to know that they had not forgotten their ancient loss and he also recognized the economic importance of these provinces to the Spaniards. Gerard's instructions, however, when he started to the United States covered fully the question of the Floridas. He was instructed to get as much for Spain as was in his power but if he could not get all he was told to use his best endeavors to obtain at least Pensacola and that part of the coast which would be regarded as of most "convenience" for the court of Madrid.[1] Gerard however was to avoid speaking in the name of Spain and was only to sound Congress in regard to the matter.

When Gerard arrived in America he found that Congress had already decided to conquer the Floridas for Spain as a reward for her assistance.[2] For several months Miralles had been active among the Americans and had already formed a project with Governor Henry of Virginia for a combined expedition of Spaniards and Americans against the west.[3] Spain had carefully prepared the way for the work of her agent by favorable treatment of the Americans and by furnishing them with supplies, and with the beginning of the administration of Galvez as

1. Vergennes to Gerard, March 29, 1778. Etats-Unis, III, fol.159,no.77.
2. Gerard to Vergennes. Ibid, fol. 97-102, no. 28.
3. Gerard to Vergennes, July 27, 1778. Etats-Unis, V, fol. 142-147, no. 41.

governor of Louisiana New Orleans had become a depot for supplies for the American troops. Oliver Pollock was allowed to carry on operations entirely unchecked and was offered aid for the conquest of Pensacola.[1] These favors on the part of Spain had led Congress to expect an early recognition from the Catholic King and the insinuations of Miralles had doubtless fed this hope.[2]

Miralles did not show his instructions to Gerard but he soon suggested to the French minister what he thought would be a just settlement of the american territorial question. Let France conquer Canada, he argued, and give Spain all other territory acquired by England in 1763. Spain ought also to have, he suggested, the exclusive navigation of the Mississippi river.[3] All this he would gain without any resort to arms.

Although Gerard had been instructed to look after Spanish interests, and in accord with the spirit of these instructions struck up an intimacy with Miralles, still he was by no means prepared to meet this proposition in regard to Canada and Eastern Louisiana, and the exclusive navigation of the Mississippi. He insisted to the Spanish representative that Congress never would consent to renounce the navigation of this river, for he thoroughly appreciated the American idea that it was necessary for the development of the back lands claimed by the various states, and was even then an important outlet for the products of the settlements along the Ohio.[3] In regard to

1. Winsor, Westward Movement.

2. Etats-Unis, IV, fol. 142-147, no. 41. The aid afforded by Galvez to the Americans was not unknown to the English ministry. In the Public Record Office are numerous accounts of favors shown by the Spaniards to the American cause. According to these the Americans were given a public guardhouse in New Orleans, and were permitted to sell openly, plunder taken from the British. They were allowed to fit out armaments and Spanish ships were furnished to take supplies up the Mississippi. Memorials of Alexander Graydon, Robert Ross, John Campbell. Colonial Office, 5, Vol. 117.

3. Gerard to Vergennes, July 25, 1778. Etats-Unis, IV, fol. 142-147, no. 41. It is doubtful if Miralles had authority to demand so much. Years were to pass before Florida Blanca himself presumed to make any proposition approaching it in boldness. Florida Blanca informed Ossun that his agent was only to investigate conditions in America, and had no authority to treat with Congress.

Canada, Gerard declared merely that France desired no conquests. As to the Floridas, the Americans had already organized an expedition under Major Tilling to attack Pensacola and hand it over to the Spaniards, and if Spain wished to get them independent of the United States she must conquer them at once.

The scheme of Miralles was based on the idea of restricting the territory of the United States and thus making them dependent on the good will of the two crowns. He thought that the Americans were as dangerous as the British and would become hostile at the first opportunity,[1] while Gerard assured his friend of their good disposition. In order to reassure Spain, however, he suggested that Congress pass a resolution declaring an enemy of the Confederation any state that sought to extend its borders beyond "certain limits", to which proposition many Americans readily agreed.[2] Gerard informed Morris that Spain was afraid of the great numbers of English who had established themselves at Natchez and all along the Mississippi, and of the Indians who had been driven westward by the Americans. These establishments, he declared, were a menace to the Spanish frontier and a cause of constant jealousy,[3] while the designs of Congress against St. Augustine, Pensacola, and Mobile had aroused in the Spanish court great anxiety and alarm. To allay this cause of hostility Gerard proposed to Morris that Congress should give to Spain some guarantee and should renounce in her favor St. Augustine, Pensacola, and Mobile, together with the navigation of the Mississippi. To the ideas of Miralles and Gerard Morris fully subscribed. He was by nature and education an aristocrat and was in no sense a sympathizer with the spirit of American democracy. He had no conception of the greatness of the new re-

1. Gerard to Vergennes, July 27, 1778. Etats-Unis, IV, fol. 142-147, no 41.

2. Gerard to Vergennes, Sept. 11, 1778. Ibid, fol. 311-316, no. 114.

3. Gerard to Vergennes, Oct. 20, 1778. Ibid, V, fol. 68-84, no. 33.

public and thus early in his career showed a jealousy of the west and a desire to strangle it, which although hidden from the eyes of most of his colleagues, was later to break out in the debate on the constitution and which, in his old age was to make him a eulogist of the Hartford convention. Morris agreed that the anxiety of Spain was founded on reason, as far as some sections of the country were concerned, but asserted that there were no grounds for fear from the whole Confederation. He confided in Gerard that he and several of his colleagues were impressed with the necessity of establishing a law of "concendo imperio" which would prevent the provinces already in the Confederation from increasing. He furthermore expressed the opinion that it was to the interest of the Confederation for Spain to have the exclusive navigation of the Mississippi below the mouth of the Ohio, as this was the only means of holding in subjection the immense population which would form in the Mississippi valley and along the Great Lakes.[1] If this population should have control of the Mississippi and the St. Lawrence it would soon dominate both the United States and Spain. Gerard reminded Morris that there was a body of Americans who insisted on the right of navigating the Mississippi, but Morris replied that the subject had never been discussed fully and that no definite decision had been reached.[1] He believed, however, that in general Congress saw the danger of the aggrandizement of the south and would be in favor of ceding the Floridas to Spain for a compensation in money. As to the navigation of the Mississippi, he held that those who wished it were influenced by their financial interests, but that if the matter were presented to Congress in a true point of view he could hope for much. In this whole affair the French minister had more strenuously upheld the claims of the United States than had the American secretary. Gerard did not even suggest to Morris that Spain

1. Gerard to Vergennes, Oct. 20, 1778. Etats-Unis, V, fol. 68-84, no. 77.

should be given eastern Louisiana. If he had there is little doubt as to the answer of the secretary, for his attitude towards the south and west in general was one of hostility. He was anxious to get Canada to serve the ambition of the eastern states and to accomplish this he was willing to barter away all the interests of the south and west, and even declared his desire to cripple them. Gerard did not inform Miralles of the American position, but he regarded the whole matter as settled. He would save for the United States the lower Mississippi valley, and with the consent of Congress Spain should have the Floridas and the exclusive navigation of the Mississippi.[1]

On the question of the navigation of the Mississippi, Vergennes at first took no decided stand but he thought that from the settlements which the Americans were making on the Ohio, they would insist on the right to navigate the river and declared that he would be astonished if Spain should refuse this privilege. He instructed Gerard to find out the sentiments of both the United States and Spain on this subject. If it appeared to him that Spain could justly claim the exclusive navigation of the Mississippi Gerard was to prepare the Americans to accept the decision, but if on the other hand, the Americans appeared to have a right to navigate the river he should urge their case on the Spanish court.[2] Gerard's conduct of the negotiations concerning Canada, the Mississippi valley and Florida met the approval of Vergennes. He believed that the United States never should and never would undertake any conquests and he urged his minister to try to convince Congress that it was not to the interest of the republic to extend its possessions. Any aggression, he contended, would arouse local jealousies and would forfeit the protection of the powers

1. Gerard to Vergennes, Oct. 20, 1778. Etats-Unis, V, fol. 83-84, no. 33.

2. Vergennes to Gerard, Oct. 26, 1778. Ibid, fol. 105-112, no. 43.

who alone could guarantee to them their political existence.[1]

In December, 1778 Gerard held a conference with a deputation of Congress, in which they discussed the claims and pretensions of the Spanish court. The Americans informed Gerard that they had decided to give Florida to Spain in case they conquered it, provided that country would furnish money to help them pay their debts. Gerard replied that he had no right to treat in the interests of Spain, but he earnestly urged them to limit their ambition and to be content with the territory they already possessed.[2]

Later in the same month Gerard and Miralles held an interview with another committee composed of the president of Congress and a delegate from New York and one from Virginia. Gerard argued for a permanent line of separation between the United States and Spanish possessions. He declared that all Europe was suspicious of the new nation and it was good policy for Congress to make clear its pacific intentions.[3] The president of Congress and the delegate from Virginia agreed that the dominions of the United States were already too large to be well governed, and that they had no thought of further conquests.

Gerard's conduct of the question of the Floridas also received Vergennes' approbation and he expressed his satisfaction with the American position.[4] The French minister had no vital interest in Florida and to him it was only a prize with which to reward Spain for her participation in the war. He believed that if Congress would turn over the Floridas to Spain, it would go far to relieve her fears of

1. Vergennes to Gerard, Nov. 18, 1778. Etats-Unis, V, fol. 179-185, no. 78.

2. Gerard to Vergennes, Dec. 12, 1778. Ibid, fol. 301-316.

3. Gerard to Vergennes, Dec. 19, 1778. Ibid, fol. 349-358, no. 47.

4. Vergennes to Gerard. Etats-Unis, VII, fol. 250-259, no. 101.

the new republic. At this time (February, 1779) he had also come to recognize the great interest which Spain had in obtaining the exclusive navigation of the Mississippi and he suggested to Gerard that he keep Congress favorable to this measure.[1] He admitted however that Spain could hope to claim this only by the fortunes of war.

While France and Spain were discussing the disposition of the territories not included in the thirteen colonies the Americans were striving to extend their possessions by force of arms. Their most important move was towards the Mississippi valley and already they had established settlements in Kentucky and Tennessee. The British were not strong in this region and held only a few posts along the Great Lakes and a few of the rivers.[2] The chief British commander in this section was Henry Hamilton who directed raid after raid against the American settlements beyond the Ohio. The American commander of the western frontier was General Edward Hand who devoted his efforts to protecting the Americans from the Indian raids directed by Hamilton.[3]

Galvez had from the first been a friend to the American cause and an enemy to England. He allowed Captain Willing of Philadelphia to establish military headquarters in New Orleans, with a public guardhouse, sentries and patrols. He permitted him to fit out expeditions, to recruit men and to issue seditious proclamations to the English settlers in Florida and along the Mississippi. He openly furnished ships to carry supplies up the Mississippi, and aided all sorts of plans against the British in the west.[4] New Orleans soon became the entrepot of the United States, and by the permission of Galvez

1. Vergennes to Gerard. Etats-Unis, VII, fol. 250-259, no. 101.

2. Van Tyne, American Revolution, 280.

3. Winsor, Westward Movement, 112.

4. See memorials in Public Record Office. Colonial Office, 5, Vol. 117 for descriptions of the acts of Galvez.

goods were shipped from there to any part of the country.[1] In 1778 when Willing was planning an expedition against the English at Mobile, Galvez allowed him to use New Orleans as his base of supplies and even furnished him with a large sum of money.[2]

The expedition of Major Willing aroused great interest among Spaniards and French alike. Galvez wrote to his ministry giving glowing accounts of the bravery and success of the Americans.[2] Gerard reported the undertaking less favorably, describing it as by "a young fool, who in a commercial expedition has drawn the English from a great part of the Mississippi."[3] Spain had all along maintained the policy of granting secret aid to the Americans, and Galvez was doubtless acting in accord with his instructions. He was in close connection with the highest ministers of state and there is no evidence that his policy met with disapproval.

The most important movement in the west was the expedition of George Rogers Clark in 1778-79. By this expedition he occupied without opposition a number of posts and gave the United States a real basis on which to claim the Mississippi valley. The operations of the Americans were supported by Galvez[4] and aroused great interest both in France and Spain.[5] It was reported in Europe that a great body of Americans had invaded the country of the Illinois and that the English were driven out.[6] On December 19 Gerard wrote Vergennes that the "suc-

1. Fortier, II, 57.

2. Montmorin to Vergennes. Espagne, 588, fol. 30, no. 98, p. 248.

3. Gerard to Vergennes, July 16, 1778. Etats-Unis, IV, fol. 97-102, no. 23.

4. Gerard to Vergennes, July 25, 1778. Ibid, fol. 142-147, no. 41.

5. Archives Nationales, C. 13, Colonies, 30, Correspondence General, no. 14.

6. Ibid, no. 16.

cess of Colonel 'Querk' in the country of the Illinois presents the Americans with a new bait",[1] and that they believed that the English had been totally driven from the Ohio and Mississippi rivers.[2]

It was this success that gave the United States a claim to the county of Illinois. The British still held Detroit and the Great Lakes, but the region south of here was clear and beyond the Ohio the frontiersmen of Kentucky and Tennessee defied all intruders. But the Floridas were still in the hands of the British and the Spaniards looked on with hungry eyes.

1. The French word is "apas".

2. Gerard to Vergennes, Dec. 19, 1778. Etats-Unis, V, fol. 349-358, no. 47.

CHAPTER IV.

FLORIDA BLANCA AND THE CONVENTION WITH FRANCE.

France alone was unequal to a struggle with Great Britain. For generations these powers had been at war and in every contest the final result had been victory for the island kingdom. And now, with the puny aid of a few revolted provinces, it was inconceivable that the Bourbon throne could free itself from the defeats and humiliations of the past and triumph over its ancient rival. As Vergennes signed the treaty that called into life a new nation, the memory of 1763 directed his mind and the spirit of revenge guided his hand.[1] His rashness was self evident. France was exhausted by a century of misrule at home and defeat abroad. Her finances were in wretched condition. Reform was urgent. Turgot declared that peace alone could work a cure.[2] Her navy, ruined in the Seven Years War, had never recovered its prestige and could not hope to fight the Britons on equal terms: and this was to be a naval war, a struggle on many seas.

Alliance with Spain was the hope of France. Their united fleets could well match that of Great Britain, and their combined resources were not inferior to those of the enemy. Yet without the assurance of Spanish aid Vergennes had signed a treaty which meant war. The year before, Florida Blanca had declared his readiness for the contest and had promised to back France if hostilities should begin.[3]

1. "If we reflect on the present war there are two circumstances in which France and Spain are interested. Is it a matter of indifference to the two crowns whether the rebellious provinces return under the yoke of Great Britain or not? Would it be well to help an enemy when we have the power to enfeeble her? England is the rival and natural enemy of the house of Bourbon in both France and Spain." Vergennes. Memoire au Roi, July 27, 1777. Approved by king. Espagne, 585, no. 56, p. 95.

2. Turgot to Vergennes, April 6, 1776. Doniol, Histoire, I, 285.

3. Ossun to Vergennes, Sept. 8, 1779. Espagne, 586, 103, no. 33.

Trusting Spanish fidelity Vergennes had pushed his war policy.

Spain had other aims to accomplish. She understood full well the advantage of her position. Peace or war, each promised great rewards. Peace, and Great Britain would give her handsome gratuities; war, and France would assure her magnificent conquests. From either she could exact her pound of flesh. Conscious of her position, she determined to remain neutral while friend and foe were exhausting themselves. It was Britain's game to keep her tranquil while France frantically sought her assistance. The friendship of France and Spain dated back to the reign of Louis XIV, when the Grand Monarque placed his grandson on the throne of the Hapsburgs and this friendship had been cemented by treaties and family compacts. Together they had borne the humiliations and losses of the Seven Years war, and Spain could never forget her former possessions while her rival's guns watched over the gates to the Mediterranean and the Gulf of Mexico.

Against these sentimental motives of friendship and hatred there stood the solid advantages and rosy expectations of peace. In war Spain was open to attack on all sides. Her extended colonies were a ready prey to the powerful navy of England, which in the preceding struggle had made prizes of the rich city of Havana and of far off Manilla. The loss of her colonial possessions was a fear ever present with Spain and she was determined to take no action that would endanger them.[1] As Florida Blanca expressed to Montmorin, "Spain has a vast empire unprotected by sea, which will be in great danger from English aggression." To Spanish statesmen there appeared another danger in fighting in the cause of rebellious colonies. Even recently her own possessions had been subject to rebellion. Only a few years before Louisiana just across the river from the Americans had been ablaze with revolutionary ideas and had broken forth in open revolt.

1. Florida Blanca to Aranda, Jan. 17, 1778. Espagne, 588, no. 21. Montmorin to Vergennes, Jan. 28, 1778. Ibid, 9, no. 58.

This rebellion had been sternly repressed, but what effect would the success of English revolutionists have on the restless inhabitants of Spanish America? This was a question which the Spanish ministry really asked and Florida Blanca informed Montmorin that his king feared the recognition of a new republic would set a dangerous example to his own possessions.[1] A still more serious question was whether the American states would be more peaceful neighbors as dependencies of the British empire or as an independent nation. Florida Blanca feared that if they gained their independence they would be animated by a spirit of conquest and aggression, and between Great Britain and the United States he declared there was "a sort of equality of enmity which makes it difficult to prefer either of them."[2] If the colonies should succeed in their efforts, he declared his desire that they be placed in dependence on the Bourbon crown and kept in a state of anarchy such as Germany.[3] It was in vain that Vergennes pointed out the danger of an accretion of British strength in the New World; it was useless to plead that such was the constitution of the new republic that it would more likely be a prey to internal quarrels than a danger to its neighbors.[4] By Vergennes' arguments that there was a placid inertia in all constitutional democracies that inhibited conquests, Florida Blanca still remained unconvinced.

In spite of these objections of Florida Blanca Vergennes felt sure that Spain would soon take part in the struggle, and his assurance seemed justified when, on the arrival of the Mexican fleet in April, 1778, the Spanish ministry became belligerent in speech.[5]

1. Montmorin to Vergennes, March 30, 1779. Espagne, 593, 25, no. 68.
2. Montmorin to Vergennes, Feb. 2, 1778. Espagne, 588, 11, no. 80.
3. Montmorin to Vergennes, March 20, 1778. Ibid, 19, no. 157.
4. Vergennes to Montmorin, April 3, 1778. Espagne, 589, 27, no. 4.
5. Montmorin to Vergennes. Espagne, 587, fol. 50.

In spite of Montmorin's high hopes, Florida Blanca still hung back and resisted every effort to push him into war.[1] This rebuff did not discourage Vergennes and he prepared to offer liberal inducements to effect his purpose. Florida Blanca became more obstinate at every overture and to Montmorin's insinuations declared that France acted not from motives of prudence in forming the alliance with Congress, but solely from motives of hate.[2] Vergennes did not despair. Knowing Spain's cupidity he believed that an offer of valuable acquisitions would decide the issue in his favor. Strong in this belief he wrote that while Louis did not desire any territory for himself, His Majesty was still disposed to contribute everything possible to the advantages of Spain, and suggested that Jamaica, the Floridas, and the right of fishing on the coast of Newfoundland might appear valuable in her eyes.[3] Still he was careful to state that France could make no offer of Florida, for this was a matter in which Congress was vitally interested, and the province could not be disposed of without its consent. Spain, however, he declared, was the true judge of her own interests and could decide how best to attain her ends.

Further evidence of the good intentions of Vergennes to help Spain obtain Florida and a fishing station in the St. Lawrence, is shown in his instructions to Gerard, the first French minister to America. The question of Jamaica and of a fishing post in Canada he placed in the field of European diplomacy, but the disposition of Florida he regarded as different. Knowing that the Americans were planning for its conquest, and fearing they would hesitate to surrender

1. Florida Blanca curtly refused an offer of ten vessels to protect her commerce. Montmorin to Vergennes. Espagne, 588, no. 157; Wharton, Diplomatic Correspondence, II, 491.

2. Doniol, Histoire, II, 795.

3. Vergennes to Montmorin, March 17, 1779. Espagne, 588, fol. 25, no. 150.

it,[1] he instructed Gerard to procure at least Pensacola and that part of the coast that would be regarded as most "convenient" by Spain. These offers did not tempt Spain for Florida Blanca hated America as bitterly as he did Great Britain and the only motive that could induce him to go to war was the assurance of immense profits. He no longer limited his ambition to Florida and Jamaica but began plotting for the recovery of Gibraltar and placed that as an essential condition for Spain's participation in the war.[2]

Vergennes employed every effort to win over the Spanish court. He reminded it of the British ambition to get control of New Orleans and other Spanish possessions in America, and pointed out the dangers to her colonies if England should strengthen her own power in the New World; but if the United States, he argued, are free they will remain quiet with the inertia which is characteristic of all constitutional democracies. The new nation is more likely to be a subject of internal quarrels than to be dangerous to her neighbors.[3] He was also prepared to offer still further inducements and again instructed Montmorin to sound Florida Blanca in regard to the conquests Spain would exact as the price of war.[4] To this query likewise Spain refused to give any satisfactory answer. Vergennes had still another recourse by which he hoped to force Spain into war. At the outbreak of hostilities D'Estaing was sent with a fleet to aid the Americans and he was instructed that if he could form an agreement with Congress by which he could seize some English island in the north as a French fishing establishment he should try to secure one also for Spain.[4] Florida

1. Etats-Unis, III, fol. 159-164, no. 77.

2. Montmorin to Vergennes, Feb. 13, 1778. Espagne, 588, fol. 21, no. 175, p. 441.

3. Vergennes to Montmorin, April 10, 1778. Espagne, 589, 29, no. 13.

4. Espagne, 588, fol. 26, no. 173, p. 431.

Blanca was informed of these orders to D'Estaing and was also told that if he wished to send any expedition to Jamaica, Pensacola, or to any of the English possessions in the Gulf of Mexico, French ships and troops were ready to aid in the undertaking.

In regard to a fishing island near Newfoundland, Florida Blanca answered curtly that by the treaty of 1763 Spain had renounced her pretensions to that region, and that she would not consider them again. When he was told of Gerard's instructions to look after the interests of Spain in America and to obtain as favorable concessions for her as possible, he replied that Spain had nothing to contest with the Americans and that the limits between the Spanish possessions and the English colonies were marked by the Mississippi which was a definite enough frontier. Montmorin then suggested that if Spain wanted Florida she should make a convention with the United States, to which Florida Blanca answered that the United States had offered Florida to the Catholic king two years before. In a word, as Montmorin said, Florida Blanca objected to everything France had done and disdained every offer that France could make.[1]

Although the Spanish court under the control of Florida Blanca was determined to keep peace, the Spanish ambassador at Paris, the Count d'Aranda, was equally bent on war. On the 13th of April he sent a communication to the Spanish court, which ably discussed the whole question of the territories as far as they concerned Spain and France. In regard to the Floridas he declared that the Americans would conquer them and make them a part of their domains and Canada would also be annexed, as the Canadians, while most inclined to return to France.[2] preferred liberty to English rule. He did not, however,

1. Montmorin to Vergennes, April 10, 1778. Espagne, 589, fol. 27, no. 15, p. 57.

2. Aranda to Florida Blanca. Ibid, no. 24, pp. 88-89.

hint that France had any designs on Canada, but declared quite frankly that Lafayette was to be sent there by the Americans because it was thought that the Canadians would accept a Frenchman more readily as a conqueror.

Vergennes was bitterly disappointed at Spain's inactivity and offered still greater concessions to secure her aid. By June he had added to Florida and the fisheries Jamaica and Gibraltar[1] and hinted that in the conquest of Florida the United States would aid. He feared, however, that the occupation of the Floridas might be complicated [illegible] on the part of Congress, and to avoid this he recommended Spain to make a treaty with the Americans guaranteeing her the possession of these provinces.[2]

By the end of June Florida Blanca had declared against war. He felt there were too many difficulties in the way of covering Gibraltar, while as to the Floridas, although he felt that Spain should have them to keep the English out of the Gulf of Mexico, still he would be content with the possession of Mobile and Pensacola. These ports and even all the coast of Florida, he said, should be granted his master without war.[3]

It was the earnest desire of Charles III to keep his country in peace, and yet he felt keenly the dangers to which his old time ally was exposed in her war with the British empire. While France was urging Spain to war, Spain was striving to lead France back to peace. In these efforts Florida Blanca was encouraged by the British crown, which wanted to keep the Spanish forces neutral as long as possible, and it is by no means improbable that the first advances for mediation came from London.[4] It was not long until Montmorin discovered the

1. Vergennes to Montmorin. Espagne, 589, no. 127, p. 313.
2. Montmorin to Vergennes. Ibid, fol. 318.
3. Montmorin to Vergennes, June 22, 1778. Ibid, fol. 74, no. 175, p. 375
4. Doniol, Histoire, III, 473.

bent of Spanish diplomacy and in order to keep the court of Madrid favorable Vergennes felt it necessary to encourage these negotiations. With both belligerents indicating their willingness for mediation Florida Blanca made in July his first suggestions for a settlement on the basis of independence for the United States and some minor concessions to France.[1] So certain was Charles III that these conditions would be accepted by Great Britain that he suggested that the French fleet remain in shelter until a truce should be declared,[2] but it was not long until news arrived of fresh English enterprises and aggressions on Spanish commerce, and the Catholic king felt that his efforts were futile.[3]

Vergennes had foreseen the result of Spanish mediation and was prepared to take advantage of its failure. At the first intimation of British trifling Montmorin came forward with a demand for action, guaranteed by the terms of the Pacte de Famille, and intimated that an unfavorable response would mean the dissolution of this alliance to the great injury of both nations.[4] Charles III deeply wounded by the failure of his negotiations and severely disappointed at not receiving the Floridas, which he regarded as his due, listened favorably to the pleadings of the French ambassador. Montmorin felt exultant at his success and on August 17 wrote Vergennes that if France would guarantee Gibraltar and the Floridas, the alliance was secure.[5]

Lord Grantham, the British minister at Madrid, quickly discerned the drift of Spanish inclinations and in alarm at once renewed

1. Montmorin to Vergennes, July 1, 1778. Espagne, 590, 36, no. 20.
2. Doniol, Histoire, III, 472.
3. Ibid, 509.
4. Vergennes to Montmorin, July 6, 1778. Espagne, 590, 48, no. 51; Ibid, 52, no. 72.
5. Ibid, fol. 49, no. 89.

the idea of mediation.[1] This time Charles was wary and replied that he would not again offer his good offices unless Great Britain formally requested him to do so. Grantham this time appeared in earnest, and in September Weymouth, the British secretary of state for the Southern department, requested Charles III for his mediation.[2] In spite of Montmorin's objections, Charles decided to accept. The French ambassador had written that Grantham at Madrid and Mansfield at London were seeking only to amuse Spain,[3] and now he felt that their efforts were entirely successful. Vergennes, however, agreed at once for he saw that if France maintained her position of disinterestedness she must welcome every suggestion of peace. Montmorin soon learned that the Spanish inclinations decidedly favored the designs of his court, for Spain was as much interested as France in crippling the ancient enemy, and assured him that it would not consent to leave the British in possession of any important stronghold near the American possessions of the two crowns.[4] With this assurance the minister of Louis XVI was satisfied, and Spain entered upon her mediation.

Charles decided to ask France for two sorts of propositions, the one general to be submitted to the British, and the other giving definitely the absolute conditions of the French court.[5] In accordance with this request Vergennes drew up two projects of peace. He declared that the one thing that Louis should insist on was the recognition of the absolute independence of the United States, and in this recognition should be included such parts of the United States as were then in possession of the British, as New York, Long Island, Rhode Island. Furthermore France would not ask any possessions on the main-

1. Espagne, 590, 40, no. 191, p. 308.
2. Doniol, Histoire, III, 513.
3. Ibid, 487.
4. Montmorin to Vergennes, Sept.29, 1778. Espagne, 590, no.188, p.458.
5. Doniol, Histoire, III, 514.

land of North America as she had formally renounced them in her treaty with the United States.[1] Although Vergennes would not make peace if England were left in possession of any part of the thirteen states, he nevertheless saw no objection to leaving in British hands Canada and Nova Scotia, but Florida he thought should be given to Spain.

On October 17 Florida Blanca submitted to Montmorin a draught of the proposed terms of peace. Their principal provision was for the absolute inderendence of the United States, though without giving any definition of boundaries, while other terms were moderate and of minor importance.[2] Two days later Florida Blanca explained fully to Montmorin his ideas of the settlement. They provided for the independence of the United States with the exception of some part of the west coast of Florida which should go to Spain.[3] On the question of Canada Montmorin contended that if the English were left in possession of Halifax they would be in a position to interrupt the commerce between the United States and Spain as well as to threaten the possessions of the two crowns in the Antilles. To this Florida Blanca replied that the English would be so enfeebled by the war that they would no longer be dangerous to the peace or prosperity of the two crowns, while their possession of Canada would be a constant source of jealousy on the part of the United States and keep them loyal to France and Spain.[4] Florida Blanca had not yet formed an opinion as to leaving the British in possession of the posts they still held in the United States but was inclined to agree with the position of France that they should be given up.

On these propositions of Spain Vergennes expressed himself

1. Vergennes to Montmorin. Espagne, 591, fol. 68, pp. 38-39.
2. Doniol, III. 537.
3. Montmorin to Vergennes. Espagne, 591, fol. 60, no. 32, p. 54.
4. Montmorin to Vergennes, Oct. 1, 1778. Ibid, fol. 61, no. 33.

clearly to Montmorin. "All my correspondence for several months", he wrote, "has proven to Florida Blanca that we do not differ from him in principles.... We ask only independence for the thirteen states of America, without including any of the English possessions which have not taken part in the rebellion. We do not desire that a new republic shall arise which shall become the exclusive mistress of this immense continent." If such were the case he feared it would become a hard taskmaster for the other nations of the world. "The dominant spirit in this republic", he continued, "is that of trade, and it is not bad that it exists for it will be less dangerous to the republic's neighbors." Although he believed that centuries must elapse before the United States could play an important role, yet he felt it necessary to keep the British in possession of Canada to "fix the jealousy of this people", and "to make them perceive the necessity of assuring themselves of guarantors, allies and protectors."[1] On the question of the Floridas too Vergennes agreed that they should go to Spain,[1] for he regarded them as distinct from the United States and in no sense connected with the other provinces.

Here the likeness ends. With Spain independence was to be subordinated to her own ambition, with France it was the prime condition of war. Spain regarded the new republic as a rival and enemy to be restricted in its boundaries and subjected to the restraints of her ambition.[2] Vergennes regarded the United States as a friend and ally to be treated generously and to be given limits that would permit a

1. Vergennes to Montmorin, Oct. 30, 1778. Espagne, 591, 67, no. 47. "We can not think of letting any of the states....remain in dependence on Great Britain without contradicting our first principles." Vergennes to Montmorin, Nov. 2, 1778. Espagne, 591, no. 68, p. 119.

2. "It is only too apparent that Spain regards the United States as before long to become an enemy, and that in consequence, far from suffering them to approach its possessions it will omit nothing to keep them away, and particularly from the banks of the Mississippi." Montmorin to Vergennes, Nov. 12, 1778. Espagne, 591, no. 70, p. 169.

healthy development. While he agreed that Canada should remain with Great Britain, he did not do so from any spirit of hostility to the United States but because he felt that such an addition to their bounds was neither a just nor reasonable exaction from the British empire and not warranted by the military events of the war. He steadfastly refused, however, to admit Spain's demand to guarantee Canada for Great Britain,[1] but insisted rather that the northern boundaries of the United States should be pushed far enough north to insure their safety. A further difference of opinion came to the surface in regard to the territories held by the British army within the bounds of the thirteen states.[2] Vergennes had insisted that they came within the guarantee of independence. Florida Blanca hesitated to oppose this view but refused to accept it. On this question, however, the French minister at once made himself clear. "We can not think", he wrote, "of letting any of the states, either New York or Rhode Island, remain in dependence on Great Britain, without contradicting our first principles."[3]

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1. "It will be difficult to guarantee to England Canada and Nova Scotia. Vergennes to Montmorin, Nov. 2, 1778. Espagne, 591, no. 68, p. 118.

2. "This morning Florida Blanca told me plainly that he thought that the two crowns ought to guarantee to England, the possession of Canada and Nova Scotia.... I represented that perhaps it would not be without inconvenience to leave to the English such a port as Halifax where they could annoy our commerce with the United States and threaten the possessions of the two crowns in the Antilles and the Gulf of Mexico. I added that it perhaps would be difficult to get the Americans to consent to these conditions. Florida Blanca replied to the first that the English would be so enfeebled by the loss of the greater part of their possessions that they would cease to be an object of fear.... As to the difficulty of getting the colonies to consent that England should keep Canada and Nova Scotia he merely replied that they had need of peace and must consent to the wishes of France and Spain." Montmorin to Vergennes, Oct. 1, 1778. Espagne, 591, no. 61, p. 84.

3. Vergennes to Montmorin, Nov. 2, 1778. Espagne, 591, no. 68, p.118. Again Vergennes wrote, "It is necessary to renounce peace if the English make a condition of keeping New York or any place or territory dependent on the thirteen united provinces." Vergennes to Montmorin, Oct. 17, 1778. Ibid, 67, no. 25.

This difference of opinion was not destined to agreement. But other causes were forcing Spain into war. Great Britain had asked Charles III for his mediation, but to his proposals she returned no answer. This second show of disrespect aroused anger in the mind of the Spanish monarch. He had come to realize, too, that Great Britain would never willingly surrender to him the Floridas, and her possession of Gibraltar, where hung ever increasing fleets, was assurance of aggravation. New reports arrived of British usurpations in America. In the Gulf of Honduras and the Bay of Campeche they were daily becoming more insolent,[1] and it was believed that they were laboring to bring about an uprising in Louisiana.[2]

In the meantime the condition of France was becoming desperate. News had arrived on October 27 of the ill success of D'Estaing and the French exchequer could with difficulty withstand the expenses of the war. Under these conditions Vergennes felt he must have Spanish aid if he was to continue the war. He ridiculed the idea that the United States would ever become dangerous as neighbors of Spain and declared that the Spanish monarchy had much more to fear from the aggressions of Great Britain.[3]

While Spain was hesitating France was weakening. The English were gaining consistently at sea and news had arrived of the American reverses in Rhode Island. The failure of D'Estaing had still further clouded French prospects. Under the circumstances Vergennes resolved to offer still greater inducements to Spain.[4] To the American commissioners at Paris he said nothing of the demands of Spain, but to Gerard he wrote that he was willing to leave England in pos-

1. Montmorin to Vergennes, Dec. 24, 1778. Espagne, 591, 80, no. 154.
2. Montmorin to Vergennes, Nov. 4, 1778. Ibid, 67, no. 54.
3. Doniol, Histoire, III, 561-564; Espagne, 591, no. 96.
4. Doniol, Histoire, III, 592.

session of Canada and if necessary Nova Scotia. Florida, or at least Pensacola, he wished to go to Spain, but he expressed astonishment that Florida Blanca should wish to keep the United States from the free navigation of the Mississippi river.[1]

Florida Blanca was now convinced that war was inevitable though his king plead for one more effort in behalf of peace.[2] With visions of conquest Spain's ambitions increased. Late in November he definitely formulated his demands. They included the conquest of Jamaica, of Florida, of Honduras and of Gibraltar. Besides this the Spanish minister expressed the desire to drive the British and the Americans from both banks of the Mississippi. In no case however he declared would Spain consent to enter into any treaty with the United States.[3]

Vergennes declared to the king that the demands of Spain were "gigantesque", but such was the condition of French resources that he must agree to them.[4] On December 24 he made his reply to these demands, in which he agrees to the Spanish pretensions to recover Gibraltar, Minorca, Jamaica, and the Floridas, and also agreed to help drive out the English who had established themselves in the Gulf of Honduras and the Bay of Campeche.[5] It is noteworthy however that he made no reference to Spanish pretensions on the Mississippi and boldly asserted that the engagements of France to secure the independence of the United States should be placed above every other consideration.

On the next day Vergennes wrote to Gerard in America inform-

1. Vergennes to Gerard. Etats-Unis, V, no. 43.
2. Montmorin to Vergennes, Nov. 20, 1778. Espagne, 591, no.72, p.215.
3. Montmorin to Vergennes, Nov. 29, 1778. Ibid, fol. 67-76.
4. Doniol, Histoire, III, 589.
5. Vergennes to Montmorin, Dec. 24, 1778. Espagne, 591, no.154, p.426.

ing him of the state of negotiations between France and Spain. The position of Florida had been decided in favor of Spain, and the British were to be left in possession of Canada and Nova Scotia. The outcome of the proposed invasion of Canada was not yet known but he approved the efforts of Gerard to prevent it. As for Newfoundland he was still undecided what action to take, but was willing to leave its disposition to circumstances and the fortunes of war.[1]

At the beginning of 1779 it was apparent that the attempt at mediation had fallen through and that Spain would soon be in alliance with France. In America she was vitally interested in the recovery of Pensacola and Mobile with as much of the coast of Florida as she could get, while in Europe her great ambition was the capture of Gibraltar. The guarantee of these she held was an essential condition of her going to war. Pensacola and Mobile she regarded as necessary in order to control the commerce of the Gulf of Mexico and to protect her own possessions in this region. No less necessary to Spanish safety was the possession of Gibraltar, the citadel of Spain, while other desirable acquisitions, though not essential, were Jamaica and Minorca.[2] Montmorin however expressed the belief that Spain would demand nothing contrary to the alliance between France and the United States.[3]

Although it was understood what Spain desired, this power would not submit a plan of convention and to the importunities of Montmorin, Florida Blanca merely replied that the king had not yet consented to war. Spain was hesitating until she could be sure that her demands would be granted.[3] Vergennes had, in the meantime, drawn up a project for a convention and submitted it to Spain. This plan granted the demands of Spain, but the fourth article provided that the

1. Doniol, Histoire, III, 616.

2. Montmorin to Vergennes, Jan. 4, 1777. Espagne, 592, fol. 1, no. 2, p. 5.

3. Montmorin to Vergennes, Jan. 13, 1779. Ibid, fol.3, no.26, p.64.

war should continue until the independence of the United States was secured.[1] To this Spain objected as out of place and useless: out of place because Spain could make her arrangements with the United States, and useless because the independence of this country was the first and only cause of the war.[2]

The discussion of a convention between the two countries dragged on for another month. Florida Blanca, in rejecting the one submitted by Vergennes, promised to draw up one himself but had offered excuse after excuse for delay. He complained that the Americans were not aggressive enough in conducting the war. He feared that they would seek to annex Canada and it was desirable that this province should remain in English hands. To all these objections Vergennes returned the strongest assurances of his willingness to meet the desires of Spain and declared that his minister in Congress would labor to deter the Americans from an invasion of Canada and would urge them to a more vigorous policy against Great Britain.[3] Montmorin communicated to the Spanish court the instructions to Gerard relative to Florida and showed him copies of despatches from America explaining how these instructions had been carried out.[4] These assurances on the part of France did not satisfy Florida Blanca. He objected that France was less anxious for the advantages of Spain than for the independence of the United States. Vergennes had declared that this independence was the prime object of the war but in order to satisfy Spain he offered to express the two clauses in the same terms.[5] Spain still dallied

1. Espagne, 592, no. 105; Doniol, Histoire, III, 648.

2. Montmorin to Vergennes, Feb. 28, 1779. Espagne, 592, fol. 14, no. 140, p. 320.

3. Vergennes to Florida Blanca, March 18, 1779. Espagne, 593, no. 33, p. 81.

4. Montmorin to Vergennes, Feb. 28, 1779. Espagne, 592, fol. 15, no. 141, p. 324.

5. Doniol, Histoire, III, 634.

with the terms of the convention and the attitude of Vergennes became daily more importunate. He wrote letter after letter to Montmorin explaining the pressing needs of France and the necessity of immediate aid from Spain.[1]

To the offer of Vergennes to express in the same terms the articles on the advantages to be given Spain and that on the independence of the United States Spain interposed another objection. Florida Blanca declared that Spain never would recognize the independence of the American republic until England had done so. He gave as his reason the fear that such recognition would set a bad example to the Spanish colonies in America. He expressed his willingness, however, to continue giving secret aid to Congress.[2] To this argument Montmorin replied that the recognition of independence would not be as bad an example as the giving of secret aid. The manoeuvres of Spain aroused in the mind of Vergennes the greatest indignation and he wrote bitterly of a "minister who most often puts caprice in place of reason." He likewise denounced the objections of Spain to recognize the independence of the United States. "Nothing is gratuitous on the part of Spain", he wrote. "We know that she wants concessions from the Americans, as well as from us." He did not oppose this but he regarded it as absurd that France should guarantee possessions to a nation as powerful as Spain. He vigorously declared that France would not lower her honor or dignity by entering into a convention nullifying the treaty of February, 1778 and that if Spain joined France she must do so with thatunderstanding.[3]

Spain had exhausted her objections to the alliance and finally in April began to formulate her demands. Her first proposition

1. Doniol, Histoire, III, 634.

2. Montmorin to Vergennes, March 30, 1779. Espagne, 593, fol. 25, no. 68, p. 157.

3. Espagne, 593, no. 41. Doniol, Histoire, III, 672.

was that the two powers should agree not to lay down arms until the English had surrendered Gibraltar. All other conquests, however, were to be subject to the fortunes of war. This project did not definitely recognize the independence of the United States but made it a subject of negotiation(Art. 4). Article five granted the same advantages to France as had the convention previously submitted by Vergennes. It provided for the abolition of the articles of the peace of Utrecht, restricting France from fortifying Dunkirk and such other places as she wished to fortify; the expulsion of the English from Newfoundland, the possession of St. Domingo, and Senegal, besides various commercial advantages. Article seven proposed for Spain the recovery of Gibraltar, the possession of Mobile and the restitution of Pensacola and the coast of Florida along the "Bahama Canal" so that no foreign power could get any foothold there, the expulsion of the English from Honduras and Campeche, and the restitution of the isle of Minorca.[1]

In the discussion of this convention Montmorin expressed his surprise at Spain's demand for the restitution of Minorca, for before this she had apparently attached little importance to it. Florida Blanca replied to his objections that this acquisition would be of little importance if the others were granted. To the extent of the coast of Florida desired by Spain Montmorin also objected. Before this Florida Blanca had asked only for Mobile and Pensacola, but now he desired all the shore around the south end of the peninsula and some distance up the east coast. The Spanish minister however insisted that all this was essential to assure the navigation of the Gulf of Mexico.[2]

From the negotiations preceding this convention Montmorin decided that

1. Montmorin to Vergennes, March 30, 1779. Espagne, 597, fol. 25, no. 68, p. 157. Text of this convention in Doniol, Transcripts, Nouvelles Acquisitions francaises, 6488, 189. Doniol, Histoire, III, 807.

2. Montmorin to Vergennes, April 13, 1779. Espagne, 597, fol. 31, no. 112, p. 255.

it did not seriously sacrifice the interests of France and accepted Florida Blanca's suggestion that they sign at once.

The articles relating to America did not contradict the previous understanding as to the settlement of affairs in the New World. Congress had expressed its willingness for Spain to have all the Floridas and could make no objection to this article. There was nothing in the convention to imply Spanish control over the Mississippi river and valley and no limitations on the boundaries of the United States. The provision that France should not lay down arms until the restitution of Gibraltar was secured has been the most criticised by American historians,[1] on the ground that it bound the United States to continue a war in the interests of Spain. This criticism seems unjust. The treaty between France and the United States provided that neither power should make peace until independence was secured. No treaty, however, should be signed without the consent of both nations. This provision was inserted merely for the protection of both powers, and there is no evidence that France ever considered it as a means to further her own or Spain's ambitions, and never held the United States bound to help regain Gibraltar. Not only is the idea that the United States was bound to help recover Gibraltar not borne out by the evidence, but it is impractical and absurd, for it must be clearly recognized that Congress had the means to act only on the defensive and with the expulsion of the British it could accomplish nothing further.

France herself received no adequate compensation for the promises she gave Spain. The right to fortify Dunkirk was no equivalent for the guarantee of Gibraltar and the other mutual concessions bore almost the same degree of relative importamce. In spite of this Vergennes approved the action of Montmorin in signing the convention and looked eagerly to the time when the French navy, reinforced by

1. Bancroft, V, 308; Van Tyne, American Revolution, 312.

that of Spain, should sweep the British from the seas. Spain also realized that this convention meant war, and at once prepared her fleet for action and ordered it to unite with the navy of France.[1] Before war was declared she commenced hostilities, and began with vigor her first campaign, which she believed would end the struggle. The two crowns planned a grand attack along the whole line of the British empire while against them was gathering the vast power of England for a desperate struggle. And across the Atlantic the new republic was laboring to protect its integrity from the grasping ambition of Spain.

1. Doniol, Histoire, III, 752.

CHAPTER V.

GERARD AND THE DEVELOPMENT OF A CONGRESSIONAL POLICY TOWARD THE WEST

News of the signing of the treaty of alliance with France produced a feeling of joy and hope throughout the United States. There were some who objected to accepting aid from the ancient enemy of the English race but their expressions of dissatisfaction were soon stifled. The intervention of France, however, was to prove the source of a new anxiety to patriotic Americans. During the months from the autumn of 1778 until the close of 1779 Congress was forced to work out a policy in regard to the final settlement of the war. Many problems were to come up: the extent of territory to be given the new nation, the navigation of the Mississippi, and the Newfoundland fisheries, and all three were closely connected and presented themselves together. The decision of them was the occasion for bitter feeling and for the formation of hostile factions within Congress, upon which the adroit and ingratiating intrigue of the French minister, Gerard, played with varying success.

Gerard had come to America with definite instructions as to the policy of France toward that part of British America not in rebellion. The idea of Vergennes to leave Canada in the hands of Great Britain has been explained, and how circumstances moulded his plans has already been described. Florida the French minister wished to go to Spain and by the end of 1778 Congress had practically agreed to this proposition. Not included in Gerard's instructions, however, was the question of the navigation of the Mississippi river, and the ownership of the territory of Eastern Louisiana. It has already been told that Miralles demanded these for Spain and that Gerard opposed his demands as unreasonable and of such a character that Congress would not accept them, but he reported to his court that if Spain

would seize the course of the Mississippi as far as the Ohio the negotiations would be simplified.[1]

Gerard had been received in great state by Congress and soon entered into very intimate relations with many of its members. It was not until the winter of 1778-79 that the policy of the French court became apparent, and even then, on the question of the conquest of Canada, Gerard had managed not to commit himself. He had been instructed not to incur the ill will of the Americans by any decided opposition to their projects, and under these circumstances he had given a half hearted approval to the expedition against Canada and then had allowed affairs to take their course.

By November, 1778 Gerard felt well enough acquainted with Congress to push the policy of his court and to urge the interests of Spain. He insinuated his influence into Congress under the pretext of giving advice and began by urging a conciliatory policy towards the Spanish court. From Miralles he surmised the ambitions of Florida Blanca and in turn passed them on to Congress. He did not discuss matters with the whole body of Congress and official business he ordinarily transacted with a committee, usually the committee of foreign affairs.

In October, 1778 Gouverneur Morris of the committee of foreign affairs came to Gerard to seek his help for the invasion of Canada. It was at this interview that Gerard first suggested the interests of Spain in the Floridas and the west, and Morris at once revealed the existence of a sectional feeling. For the annexation of Canada he put forth his most effective arguments. Toward the territories in the west and south he manifested utter indifference and even hostility. He declared that he in common with many members of Congress was opposed to any extension of boundaries toward the southwest and fa-

1. Etats-Unis, V, no. 35.

vored giving Spain exclusive control over the Mississippi in order to hold the frontier population in dependence on the east.[1]

In December Gerard had an interview with a committee of Congress, composed of John Jay, the president, and several delegates. One of the members, he describes, as coming from Virginia and another from New York. Gerard declared that he succeeded in convincing Jay and the Virginia delegate of the wisdom of renouncing all conquests but the delegate from New York became angry at the suggestion. Gerard soon perceived that there were many influential men interested in the Mississippi valley and he declared that the question must be handled carefully. The western interests, he wrote, were centered in three regions, the Illinois and two projected establishments on the Ohio, and all these, he thought, would unite in opposition at the first suggestion of giving up any part of the west.[2] Gerard had won, however, to the idea of giving up Florida and the Mississippi two of the most influential members of Congress, and the committee of foreign affairs was instructed to do nothing without his advice.[3]

Soon however a party arose in Congress opposed to the western policy of the French, but Gerard still felt he had a majority on his side. The opposition declared the navigation of the Mississippi indispensable to the development of the country and urged the interests of the people settled in the Illinois country, in the land of the Natchez and in West Florida. These people, they held, must not be abandoned, for they formed a great body of the American population and should be admitted to the Confederation.

To this argument Gerard replied that mere personal interests

1. Gerard to Vergennes, Oct. 20, 1778. Etats-Unis, V, fol. 68-84, no. 33.

2. Gerard to Vergennes, Dec. 14, 1778. Etats-Unis, V, fol. 301-316, no. 118.

3. Gerard to Vergennes, Jan. 28, 1779. Etats-Unis, VII, fol. 129-135, no. 58.

should not be considered when the welfare of the republic was at stake. In this discussion for the first time he raised doubts as to the validity of the claims of Congress to territory not included by British law in the limits of the thirteen states. The United States had no better claim, he declared, to this territory than had Spain if she should wish to conquer it. Furthermore he insisted that such pretensions were absolutely foreign to the alliance, and the king of France would not prolong the war a single day in order to maintain them.[1] If Congress persisted in its desire for conquest, it would incur the enmity of Spain, and when time came for peace it would find itself crushed between the hatred of the English and the jealousy of the Spaniards. Gerard urged further that the honor and the interests of the United States were opposed to conquest. "Already your territory is unwieldy", he argued, "and how much more so will it become by this enormous addition of territory?"[1]

The development of a party favorable to western expansion caused Gerard many misgivings but he still hoped that Florida would go to Spain. It was still in British hands, and he regarded it as probable that in return for pecuniary assistance Congress would be willing to renounce all claims to a province it did not possess. He was soon reassured by a member of Congress who came to him and announced that the committee of foreign affairs would recommend the cession of Florida to Spain.[2] Gerard flattered himself that he had seized the critical moment, when the party of expansion was feeblest, to take away from the United States lands which they regarded as the patrimony of their overflowing population.[2] By the end of January he had formed a party favorable to his plans while there was a considerable opposition

1. Gerard to Vergennes, Jan. 28, 1779. Etats-Unis, VII, fol. 129-135, no. 52.

2. Gerard to Vergennes, Jan. 29, 1779. Ibid, fol. 176-179, no. 57.

as yet unorganized. Soon he was able to have a committee, whose opinions were favorable to him, appointed to consider the question of the west, and this committee promptly offered to cede all the Florida to Spain, although it would not commit itself on the question of the Mississippi.[1]

Viralles had also been active but Gerard did not feel certain of the result of his interference. He felt that the decision would depend largely on circumstances. The most effective means of bringing the Americans to terms, he believed, was the desire for peace and despair of extending their conquests.[1]

After the beginning of 1779 Gerard had almost daily conferences with members of Congress on the question of the boundaries of the republic. Gerard uniformly held to the policy of limiting the United States to the territory which they had "held as English colonies". In February a member of Congress unexpectedly introduced the discussion of the northern boundary. So much bitterness was displayed on the question that Gerard feared it was likely to prove a point of great difficulty.[1]

On February 16 Gerard had an interview with Congress on the conditions of peace. He made a speech to the members in which he outlined the policy of France and the interests of the United States. He maintained that Spain should be conciliated and her alliance sought. As to conquests, he declared that the English held Canada so firmly that it could be taken only after a "most fortunate war", and in the south they were so powerful that they could not be dislodged. From these conditions he urged Congress to make peace without seeking any additions of territory. To the inquiries of a delegate from North Carolina as to what France expected to get out of the war, Gerard re-

1. Gerard to Vergennes, Feb. 13, 1779. Etats-Unis, VII, fol. 215-219, no. 89.

plied that his government would be satisfied with the acknowledgement of the independence of the United States[1] and did not wish any additions to its own possessions.

The discussion began to assume an unfriendly tone and Gerard felt that he must conciliate. He disclaimed any purpose to push the interests of Spain and declared he was anxious only to get her into the alliance. While he declared that Spain was content with her possessions, still if Congress would offer her some inducements such as Pensacola and the exclusive navigation of the Mississippi, it might influence her more favorably to the American cause. Several members expressed their willingness to surrender Pensacola but the navigation of the Mississippi aroused angry discussion. No decision could be reached and the question was left open.[2]

Gerard felt that he must use great care in the negotiations regarding the Mississippi, and called to his aid his friends in Congress and soon built up a party in favor of this scheme. He worked skillfully on the jealousies of the eastern delegates to secure their aid and asserted that even members from Virginia and North Carolina came to his point of view. They felt that the west was being rapidly settled by a lawless class which would soon prove dangerous to the eastern governments. These people would become equally hostile to the Spanish government, they argued, and some way must be devised to restrain them. To accomplish this, the friends of Gerard's project thought the best means would be to hand over to Spain complete control of the navigation of the Mississippi and the Gulf of Mexico. There were however a number who contended for a depot or place of deposit at the mouth of the river.[3] The great aim of the Gerard party, how-

1. Gerard to Vergennes. Feb. 17, 1779. Etats-Unis, VII, fol. 237-242, no. 98.
2. Gerard to Vergennes. Feb. 17, 1779. Etats-Unis, VII, fol. 237-244, no. 98; Feb. 18, Etats-Unis, VII, 244-249, no. 100.
3. Gerard to Vergennes. Feb. 18, 1779. Etats-Unis, VII, fol. 244-249, no. 100.

ever, seemed to be a Spanish alliance, and to obtain this it was willing to go to almost any lengths.

On the question of the northern boundary Gerard took a very decided stand. Washington had opposed the conquest of Canada and Gerard felt that he could take the same course and accordingly asked Congress to renounce all claim to the northern possessions of England. They have not been in rebellion, he argued, and have no claim to help. This is not a war of conquest, but only to obtain independence for the United States and when this is accomplished we are ready to make peace.[1] Gerard wrote to Vergennes on the first of March that his views on the boundary question had made considerable progress in Congress. He declared that it would be willing to cede the Floridas to Spain and to grant her the exclusive navigation of the Mississippi river, provided that the western settlements received a port of entry on the Gulf. Spain however was expected to reward this concession with a large money payment.[2]

The projects of Gerard furnished the cause for a great battle in Congress. On one side were the New Englanders who insisted on the acquisition of Nova Scotia and the fisheries as necessary for their prosperity and safety.[3] On the other side was the southern and western party which desired to hold the navigation of the Mississippi and to extend American influence in the west. Gerard was the center of all controversy and his house became the committee room of Congress. Here came his partisans to discuss the situation and to fortify themselves with arguments. Here came the opponents of his policy to argue with him and to present the claims of the United States. It is difficult

1. Gerard to Vergennes. February 18, 1779. Etats-Unis, VII, fol. 244-249, no. 100.

2. Gerard to Vergennes. Ibid, fol. 290-295, no. 123.

3. Ibid, no. 170.

to determine the names of the partisans of Gerard, but he mentioned Gouverneur Morris and John Jay. His most determined opponents were the Adams family from Massachusetts and the Lees of Virginia. These families had formed a sort of alliance termed the "Junto" and were untiring in their opposition to the measures of France and Gerard declared that its purpose was to maintain the war until England could send new commissioners to America, whom they thought would offer liberal terms of peace.[1]

The Journals of Congress reveal little of the feeling behind the discussions. In many cases even the vote is not given and the decision of any particular motion sheds little light on the struggle that preceded it. On February 17, 1779 Congress appointed a special committee of five to consider the foreign affairs of the country. This committee represented well the various sections of the country. New England was represented by Smauel Adams, New York by Gouverneur Morris, New Jersey by Witherspoon, Virginia by Smith and North Carolina by Burke. That this committee was of varying opinions was shown by the votes of its members on the various questions submitted to its consideration.

This committee reported on February 27. It laid down as the boundaries the United States should demand at the close of the war: on the north the ancient limits of Canada as contended for by Great Britain which would give the United States all the Great Lakes, on the west the Mississippi and on the south Florida. It maintained also the right of navigating the Mississippi and of fishing on the banks of Newfoundland. It recommended the conquest of the Floridas to be given Spain for an adequate compensation and also the occupation of Nova Scotia. The discussion of this report occupied many days[2] and from the despatches

1. Gerard to Vergennes, March 4, 1779. Etats-Unis, VII, fol. 328-336, no. 137.

2. Secret Journals, II, 171-178.

of Gerard we get an idea of the bitterness aroused. This report embodied two sets of ideas, those of the east and those of the south. The party of the east looked to an extension of boundaries far into Canada, with the conquest of Nova Scotia and the right to use the Newfoundland fisheries. The party of the south held to the possession of the Mississippi valley and the right to navigate the river. Gerard was keenly interested in the debates and used his influence to suggest amendments. One delegate came to him with a plan to limit the western boundaries by the terms of the treaty of 1763 and the proclamation of the king of England of the same year.[1] This plan Gerard regarded as very simple and fair and as it would satisfy the desires of Spain he urged it strenuously on Congress.

The debates in Congress covered a wide range of matter. In them the whole history of English colonization and diplomacy was gone over.[2] The trend of the discussion soon convinced Gerard that the claim to Nova Scotia would be abandoned but the question of the northwest boundary was fought out on more equal terms. Those who advocated the retention of the Northwest Territory justified it on the grounds both of conquest and of occupation. They further contended that the surrender of this territory would be to accept the Quebec Act which was one of the causes of the Revolution.

The debates on the question of the boundaries and the navigation of the Mississippi continued from the 1st of March to the 10th. On the question of the Mississippi important interests in the west and south united to demand the right of navigation. Those interested in the Northwest Territory pictured the great advantages to the south of controlling the trade of this region. If our people do not get this

1. Gerard to Vergennes, March 7, 1779. Etats-Unis, VII, fol. 719-726, no. 171.

2. Gerard to Vergennes, March 4, 1779. Ibid, fol. 728-736, no. 177.

trade, they argued, the English will, and thus become powerful in a region where it is to the interest of both Spain and the United States to keep them out.[1]

So powerful did the opposition to giving up the Mississippi become that Gerard felt it necessary to interfere. Through one of his partisans he learned that the western party proposed to treat directly with the British crown for the navigation of the Mississippi. Gerard protested vigorously against this scheme as vicious and dangerous ~~to~~ in its purpose and unjust in its tendencies and declared that Congress acted as if it wished to dictate first to Spain, then to Great Britain. He remarked that Spain had no contract with the United States and was under no obligation to them, and that the Spanish king would never consent to surrender his rights over the Mississippi and on this question the king of France would probably take his part. He observed that it seemed strange that Congress should think of treating with England to despoil Spain and that it appeared that America would soon be at war with the Spanish monarchy.[1] This interview with Gerard was skillfully used by his friends, who believed that they had a majority against the proposition. They desired however to win over the important state of Virginia. They expected to bring the question to a vote on March 11, but in the meantime the delegates from South Carolina were recalled and some time was necessary to rebuild their majority.[2] The final vote on the question of making the right to navigate the Mississippi an ultimatum was taken on March 24. Only one state favored the motion. Two were divided and the others voted no.[3]

The debate on the boundaries was milder and there was from the beginning greater unanimity of sentiment. Several of those opposed

1. Gerard to Vergennes, March 8, 1779. Etats-Unis, VII, fol. 339-345, no. 135.
2. Gerard to Vergennes, March 10, 1779. Ibid, fol. 367-374, no. 147.
3. Secret Journals, II, 147-148.

to the policy of Gerard informed him that they would not demand conquests beyond that really belonged to the thirteen states.[1] There was considerable fear that if Canada were left to Great Britain she would prove a dangerous neighbor. Gerard reassured them with the promise of the unfaltering support of France who would never allow them to sink back under the power of her rival.[1] He also suggested that the whole question of boundaries be left until after the peace for settlement but this plan received no support at all in Congress.[2] The debates on the acquisition of Nova Scotia convinced the New England delegates that it would not carry, and they substituted a demand for the right of fishing on the banks of Newfoundland, to which there was practically no opposition.[3]

On March 19 Congress decided on the boundaries it would demand as an ultimatum. This boundary ran irregularly to the south end of Lake Nepissing, thence to the source of the Mississippi, down the middle of that river to the thirty-first parallel, thence along the northern boundary of Florida to the Atlantic.[4] This vote was a compromise. It did not grant the demands of New England for the possession of Nova Scotia, but laid claim to the whole region of the Great Lakes. At the same time the south and west received no promise of the navigation of the Mississippi or the possession of the Floridas. In this contest the partisans of Gerard had not yet showed their full strength. They felt sure of a majority in favor of the French policy but were confronted by the untiring opposition of Lee. Such was the changing character of Congress that no policy could well be assured,

1. Gerard to Vergennes, March 8, 1779. Etats-Unis, VII, fol. 339-345, no. 135.

2. Gerard to Vergennes, March 12, 1779. Ibid, fol. 375-386, no. 144.

3. Secret Journals, II, 145; Gerard to Vergennes, March 18, 1779. Etats-Unis, VII, fol. 407-410, no. 159.

4. Secret Journals, II, 138-139.

and the partisans of Gerard were waiting until the time when they could carry their measure "by such a majority that Mr. Lee would find himself the only one in opposition".[1]

The vote of Congress in March on the question of the boundaries and the Mississippi had satisfied no one. On the question of the fisheries the antigallican party had been active.[2] New England was not content with the idea of having the English on its northern boundaries and renewed its proposal to conquer Canada.[3] Gerard was tireless in his opposition to this plan and urged upon Congress the futility of continuing the war for this purpose.[3] While he admitted that the treaty of alliance did not define the limits of the states whose independence was guaranteed, still he insisted that the guarantee could not be made to apply to territories not in the possession of the United States.[4]

By July Gerard had come to feel that his policy with regard to the boundaries was triumphant. He had built up a large party in and out of Congress but he had lost his influence over the leading men. He depended on men of minor caliber, like Jenifer of Maryland, who sided in with the French policy and favored limiting the boundaries of the United States as much as possible.[5]

On the 12th of July Gerard held a conference with Congress in committee of the whole, in which he reviewed the whole history of French intervention and declared that the world was convinced that the war had no object of conquest but only to secure the independence of the United States. In this conference he urged also that Congress

1. Gerard to Vergennes. Etats-Unis, VIII, no. 10.
2. Doniol, Histoire, IV, 175.
3. Gerard to Vergennes, March 14, 1779. Etats-Unis, VIII, fol. 87, no. 49
4. Gerard to Vergennes, March 21, 1779. Ibid, fol. 88, no. 59.
5. Ibid, IX, fol. 107, no. 17.

should seek the favor of Spain by the offer of such moderate terms as would incline His Catholic Majesty to the American interests.[1]

As a result of his management Gerard believed that he held the affair of boundaries well under control. He did not flatter himself that Congress would renounce all its former pretensions, but he believed it would make no objection to the cession of the Floridas to Spain and would tacitly let go the navigation of the Mississippi. He even expressed his belief that if necessary it would willingly abandon Georgia.[2]

The partisans of Gerard had postponed the final vote on the boundaries until a time when they could hope to carry their plan by an overwhelming majority. On July 18 Gerard wrote that the committee of foreign affairs stood eight to four in favor of his measures, and that his party worked unceasingly to win over votes. One of the most active supporters of this policy was John Jay, the president of Congress. Gerard who himself took an active part in the carpaign thought that it was time to bring the question to a vote and to pass some measures favored by the opposition in return for their support on the boundaries. He felt that the strength of the antigallicans was weakened by the failure of England to offer favorable terms of peace, but if the opposition should carry the vote in Congress he proposed to attack its validity on the ground that the Articles of Confederation provided that every state must ratify a treaty.[3]

In the meanwhile the "Junto", opposing the policy of Gerard was very active. Its organization and workings are obscure but it suddenly attained great power in Congress. Its strength was unknown to Gerard who declared that the influence of Lee in Virginia was de-

1. Secret Journals, II, 196-200.

2. Gerard to Vergennes, July 20, 1779. Etats-Unis, IX, fol. 109, no. 46, p. 177.

3. Doniol, Histoire, IV, 221-222.

stroyed and the opposition was confined to New England.[1]

On the question of the boundaries and the treaty with Spain several plans were laid before Congress. Gerard favored a plan to outline the boundaries as vaguely as possible and to leave their final settlement until after the peace. On the question of cessions to Spain he felt there would be no difficulty.[2]

In spite of his words of assurance, however, Gerard feared the power of the "Junto". He learned from his confidants that it would ask Congress to demand as an ultimatum an extension of boundaries as far north as 46°. The opposition declared openly that the justice of the king would never refuse these conditions so essential to the safety of the United States.[3]

Early in August the battle in Congress openly began. On the 5th M'Kean moved that if Great Britain persisted in the war Congress should seek to conclude treaties with both France and Spain providing for the conquest of Canada, Nova Scotia, and Bermuda. Spain and France were to be offered for their aid equal rights in the fisheries. This resolution was made in the interests of the northern states, but the southern delegation secured an amendment providing for the conquest of the Floridas and demanding the "free navigation of the Mississippi".[4]

This resolution was an open defiance to Gerard. It repudiated all his advice and outlined a new policy of conquest. It is doubtful, however, if it was put forth seriously as a plan of action. More

1. Gerard to Vergennes. Etats-Unis, IX, fol. 116, no. 100, p. 306.

2. Ibid. The actual disposition of Congress, Gerard wrote, is "to renounce the Floridas and tacitly to give up the navigation of the Mississippi, of which the two banks belong to that crown (Spain) provided they are given a free port for exporting their goods and importing merchandise". Etats-Unis, IX, fol. 116, no. 100, p. 307.

3. Doniol, Histoire, IV, 222.

4. Secret Journals, II, 219-226.

likely it was intended as a feeler to test the strength of the anti-gallican party in Congress. The motion was not voted upon but it threw open for debate the whole question of the territories and of the navigation of the Mississippi. Both sides understood that this was the last card in the game. Gerard however felt that he would win, for he controlled the committee of foreign affairs, and through it transmitted his arguments and threats to Congress.

In the meantime a special committee had been appointed to draw up terms of peace. It had done its work in consultation with Gerard and on August 14 presented its report. The terms were more moderate than the demands of the antigallicans. Florida and Canada were to be given up but the northern boundary was to extend as far as Lake Nepissing.[1] Several reasons were back of this decision. News had just reached America of the alliance between France and Spain and it was seen that the latter power would make strong demands for the Floridas.[2]

The entrance of Spain into the war was made the occasion for new propositions of a treaty of alliance. On this question the extreme antigallicans maintained their fight. On September 9 they introduced a resolution providing for an alliance with Spain whereby that power was to assure to the United States the possession of Canada, Nova Scotia, Bermudas, and the Floridas, as well as the navigation of the Mississippi. This motion provided however that if Spain should insist upon it, the United States would cede to her the Floridas and the exclusive navigation of the Mississippi below the thirty-first parallel. The character of this resolution clearly revealed the weakness of the extreme position, and it was tabled at once to make way for a more moderate one. After several days of debate it was resolved

1. Secret Journals, II, 219-226.

2. Doniol, Histoire, IV, 205.

that if Spain would accede to the treaty of alliance, Congress would make no objection to her acquiring the Floridas, provided that the "United States shall enjoy the free navigation of the river Mississippi into and from the sea."[1]

On information furnished by Gerard that England would probably soon seek peace Congress resolved to send a representative to Europe who should be on the ground when the first advances were made. There were two leading candidates named, Jay and John Adams. Gerard and his partisans favored Jay as being more moderate in his views while the antigallicans gave their support to Adams.[2] After several days of delay the vote was taken on September 27 and Adams was elected minister plenipotentiary to negotiate a treaty of peace with Great Britain.[3] At the same time Jay was elected minister plenipotentiary to negotiate a treaty of alliance with Spain. On the next day instructions for Jay were decided upon, which in regard to the Floridas and the Mississippi were identical with those agreed to on the 9th.[4] On October 13 Witherspoon moved that Jay be allowed to recede from the claim of a free navigation of the Mississippi below the thirty-first parallel if such were necessary in order to obtain the alliance with Spain, but this motion was promptly defeated.[5] The instructions to Adams were the same as those agreed upon on August 14.

The resolutions of August and September in regard to the boundaries and the Mississippi mark the formation of a definite policy by Congress. This policy was a compromise between the east and the south, between the French party and the antigallicans. While Gerard

1. Secret Journals, II, 241-249.
2. Doniol, Histoire, IV, 209.
3. Secret Journals, II, 257.
4. Ibid, 262.
5. Ibid, 276.

was not entirely satisfied with the conditions laid down, still he felt that they were not unfavorable to France.[1] He regarded the appointment of Jay as a decided step towards "conciliation" with Spain, and as a bid for the friendship of Charles III.

The work of Gerard as minister to the United States was finished. He had long been laboring under a severe malady attributed to the climate of Philadelphia and had struggled heroically against disease while upholding the interests of France and Spain. The Chevalier de la Luzerne, his successor, had already arrived in the United States and was in close touch with him. Congress regarded his departure with regret. In spite of his interference in American politics he retained his popularity till the last. Congress had his picture painted for its council chamber and wrote to Louis XVI a flattering letter describing his loyalty and ability.

The mission of Gerard was unfortunate from the standpoint of both his own country and the United States. To Vergennes he gave a one-sided picture of conditions in the United States, and led him to believe that the great body of sober-minded intelligent citizens favored restricting the boundaries of their country, and that the opposition was made up of a few narrow and bigoted fanatics. His meddling in the politics of Congress and his formation of a faction around himself led to serious results. It made the opponents of the French policy more determined and aggressive and aroused in the minds of many suspicion of the honesty and friendship of the French monarchy. This interference of Gerard alienated the ablest men in Congress, men like Jay and Morris, who had honestly favored the policy he advocated. As a result of his course of action the diplomacy of the United States was entrusted to his enemies and thus to men who looked with distrust on any policy advocated by Frenchmen. John Adams was elected minister

1. Doniol, Histoire, IV, 211.

plenipotentiary by an anti-French party and against the will of Gerard. Jay had long been associated with the French policy but his change of heart was probably known to his colleagues before his election as minister to Spain. Gerard had carried out his policy without direction and without consultation with the French foreign office. After his first instructions, which directed him to look after the interests of Spain and to restrain Congress from all attempts at conquest, he acted nearly always on his own initiative. The result was a lack of harmony between the representations of Gerard in Philadelphia and the promises of Vergennes at Paris. The course of Gerard received the approval of Vergennes and considerably modified the general policy of the French court, and upon his reports were based the instructions to his successor Luzerne. Thus arose a serious divergence between the views of Congress and those of Vergennes, which was in turn to lead to mutual jealousies and suspicions, and to the conduct of Gerard is due in a large measure the irritation which later broke out between Vergennes and the envoys of Congress.

CHAPTER VI.

VERGENNES AND THE ALLIES OF FRANCE.

The alliance between France and Spain did not win a friend for the United States. While it added another to the list of those fighting the British Empire it divided the councils of her enemies for the ambitions of Spain were unalterably opposed to the interests and aims of the United States. Florida Blanca had long feared the growth of a powerful rival in the new world and before Spain entered the war he had urged that Great Britain be allowed to keep her dominions in Canada and Florida as a check to the power of the new republic and although it was not stipulated in the convention, it was understood at the time that no further effort would be made to conquer the British possessions north of the thirteen states.[1] When Spain began seriously to consider entering the alliance, she made exorbitant demands as to the territories she should acquire in North America. To her possession of the Floridas the Americans made little objection, but her demand for the exclusive navigation of the Mississippi river became a question of great difficulty and her desire to acquire the territory east of that river was so unwarranted that Congress would not consider it.

Back of Spain's purpose to keep the United States a weak and dependent nation was the desire to build up a united and productive empire around the Gulf of Mexico. Cuba, Mexico, and Louisiana formed three quadrants of this circle and the possession of Mobile and the

1. "When peace is made it will be well not to expel the English from Canada". Florida Blanca to Montmorin, Apr. 2, 1779. Esp., 597, no. 77, p. 180. "We shall neglect nothing to excite the Americans and arouse them to some enterprise. They incline to the conquest of Canada but as your excellency always thinks it best for this province to remain in England's possession we shall work constantly to deter them from this project". Vergennes to Florida Blanca. Mar. 18, 1779. Esp., 393, no. 33, p. 81.

coast of Florida would complete it. But if the vast prairie to the north, the territory of ancient Eastern Louisiana should become peopled by a powerful and alien race, Spain would confront a new danger when the rude frontiersmen, seeking an outlet to the sea would come down and overwhelm her colonies. To avert this the United States must be kept to the Atlantic sea board, and even then, to make assurance doubly sure, England should still be dominant. The power and ambitions of the British empire were known; but the formation of this strange republic on the outskirts of civilization filled the ministers of Charles III with strange and unreasoning terror.

Hardly had the ink dried on the signature of the convention uniting Spain and France in the war when Florida Blanca proposed fresh restrictions on the growth of this new power. He suggested to Montmorin that the English should be left in possession of all territory in the United States held by them at the time of the ratification of the treaty of peace.[1] At this time it was known in Furope that the English forces were in possession of New York, Long Island, of the greater portion of Connecticut and Rhode Island, including the city of Newport, of Georgia, and a part of Virginia besides a number of sea ports. To the credit of Montmorin and Vergennes they both replied positively that France could not agree to such terms. Vergennes declared that such a course would make it appear that France had abandoned her allies and would provoke their enmity and suspicion.[2] More

1. Florida Blanca wishes to leave the English in possession of New York and Rhode Island. I represented to him how difficult it would be to get the Americans to consent, and told him to consider our engagements with them. He replied that the Americans needed peace so much that they would make no difficulty of the means of obtaining it. Montmorin to Vergennes. Apr. 26, 1779. "The king of Spain proposes....a fixation of limits and that each should hold as his own territory what he holds at the instant of ratification". Reflections on project of Spain for peace between France, England and the United States, Montmorin. May, 1779. Esp., 594, fol. 192. Fsp., 593, fol. 37, no. 147, p. 320.

2. Esp., 593, fol. 28, no. 157, p. 343.

than that it would be an open violation of the treaty of alliance and and as such would bring dishonor on the French monarchy.[1] This decided stand on the part of France put an end to the idea of a settlement of American affairs on the basis of uti possidetis and assured to the United States a geographical unity.

Although it was apparent to Spain that France would insist on the preservation of the territorial integrity of the United States, the Floridas were a subject of conquest and it was against these provinces that the Spanish arms were directed. To make this conquest Spain was anxious to have the help of American arms, and Florida Blanca himself wrote to Vergennes asking that the Americans send an expedition into Florida from the north while the Spanish troops attack it from the Mississippi.[2] Vergennes declared that it would be difficult for the Americans to perform their part in the project on account of the British occupation of Georgia but he promised to instruct Luzerne, who was then on the eve of his departure for the United States, to propose the matter to Congress.[3] It appears however that Florida Blanca soon became suspicious of the Americans and proposed that, instead of cooperating with the Spanish army, thay should attack St. Augustine and leave Pensacola entirely to the Spanish troops. It was not until June however, that Spain sent orders to her officers in America to attack the English possessions.[4] These orders were sent to Galvez, the governor of Louisiana, and the other Spanish governors in America were ordered to help him.[5]

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1. Esp.,594, fol. 192.
2. "It would be well for the colonies to try to enter Florida while on our side we will make a strong diversion by way of the Mississippi". Florida Blanca to Vergennes, May 17, 1779. Esp., 594, no. 136, p. 80.
3. Vergennes to Montmorin. Esp., 594, no. 40, p. 267; no. 41, p. 267; no. 68, p. 171; no. 73, p. 180.
4. Montmorin to Vergennes. Esp., 594, fol. 52, no. 120, p. 272.
5. Don Juan Baptiste Bonet, Governor of St. Domingo, to Gonsales de Castegon. C. C. 5, 171, p. 7. Letter book of intercepted correspondence. Montmorin to Vergennes, Esp., 595, no. 174, p. 469.

The English had long known the designs of Spain on their territories in the southwest[1] and prepared to resist them. As soon as hostilities were declared they ordered an attack on New Orléans, Louisiana, and the regions west of the English posts in the Illinois country.[2] They hoped also by this prompt move to hold the friendship of all the Indians in the southwest.[3]

In spite of the efforts of the English, Galvez began an energetic campaign against their possessions in the southwest. In the fall of 1779 he drove them from Manchac and Baton Rouge and from the whole region of the Mississippi, and during the next year and a half succeeded in capturing Mobile and Pensacola, thus shutting out the English from any port on the Gulf of Mexico.

While Spain was definitely planning the conquest of the Floridas, Vergennes was worrying about the attitude of Congress on the conditions of peace. In January he had been informed of the projected expedition against Canada but for several months he had received no certain intelligence from America.[4] He conversed frequently with Franklin on the matter but could determine nothing satisfactorily as long as he was in the dark as to conditions in the United States. The only terms he was determined to insist upon was independence with the restitution of all the territories dependent on the thirteen states.[5] The attitude of Spain was also a source of considerable annoyance to Vergennes. Montmorin had intimated to him that negotiations between

1. See memorials of Ross, Campbell, Graydon, etc. Colonial Office, 5, 117.

2. Germain to Haldemand. Colonial Office, 5, 7.

3. Germain to Gov. Dalling, June 17, 1779. Colonial Office, 5, 7. Germain also planned an attack on all other Spanish possessions in America. To Lords of Admiralty, Colonial Office, 5, 131, p. 377.

4. Vergennes to Montmorin, May 14, 1779. Esp., 594, fol. 37, no. 89, p. 67.

5. Vergennes to Bretuel, June 29, 1779. Esp., 594, no. 151, p. 350.

that country and the United States must be handled carefully.[1] Vergennes was constantly worrying about the conditions Spain was likely to demand in the arrangement of terms of peace.[2] It had been demonstrated to him that Spain had no regard for the interests of the United States,[3] and from her projects against the British on the Mississippi he felt that his two allies were in danger of clashing.[4] After several weeks of delay Montmorin succeeded in getting from Florida Blanca an expression of his opinion on the terms of settlement. The Spanish minister had, at last, seen that independence of all the thirteen states was inevitable, but he still wished England to keep Canada and Nova Scotia and also the Floridas excepting Pensacola and Mobile, which should go to Spain with as much of the coast as would exclude England from the Gulf of Mexico. At this time too Florida Blanca insisted on the exclusive navigation of the Mississippi river, and intimated that this was a point he would not yield. He expressed the desire to close all access to Spanish America not only to the English but to the Americans as well.[5]

In the meantime the despatches from Gerard had arrived and Vergennes was told that Congress would probably surrender its claim on the Floridas and Canada, as well as the right to navigate the Mississippi. At the same time came the report of the strong antigallican feeling among the eastern delegates and their proposal to treat directly with England on the navigation of the Mississippi. In the light of

1. "When they (the United States) send some here to treat in their interests I believe that it is essential that the choice should fall on some one of a character supple and conciliatory. It is necessary that he have firmness but accompanied by sweetness and patience." Montmorin to Vergennes, June 7, 1779. Esp., 594, no. 85, p. 47.
2. "I should like to know what might be the views of the Catholic King and his minister on this matter.... We would not like to propose anything which might cross their ideas." Vergennes to Montmorin, July 27, 1779. Esp., 594, fol. 50, no. 201, p. 457.
3. See Chapter III. Montmorin to Vergennes, May 17, 1779. Esp., 594, fol.41, no. 34.
4. Vergennes' instructions to Luzerne, July 18, 1779. Etats- Unis, IX, fol. 1, no. 41.
5. "They (Spain) desire sincerely that the thirteen united states

this information from America Vergennes prepared the instructions to Luzerne who was to go out as the successor to Gerard, and it is evident that they were drawn up in a spirit of hostility to the United States. Vergennes judged from the reports of Gerard that there was a strong English party in America and believed that if such could exist in time of war there was little dependence to be placed on the permanent friendship of the republic.[1] In instructions he discussed the three objects of greatest interest to Spain, - the western boundaries, the navigation of the Mississippi, and the Floridas. As to what should be the western boundary of the United States Vergennes did not attempt to decide but feared the danger of a dispute between the United States and Spain over the lands from which the English might be driven, and urged Luzerne to restrain the ambitions of the states, especially those of the south.

On the question of the navigation of the Mississippi he was equally unfriendly to the claims of the United States. Before this time he had expressed himself favorably toward the American claim, but now he declared that it was shown to his satisfaction that the Americans had no right to it. He based his reason on the ground that before the Revolution the boundaries of the provinces did not extend to the Mississippi, and that it was absurd to claim the right of England whose authority they had abjured.[2] On the question of the Mississippi Vergennes asked Luzerne to demand a categorical explanation from Congress, and also a promise that the United States would renounce all

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should be independent but they desire England to keep Canada and Nova Scotia. They would not be sorry also if England kept the two Floridas except Pensacola and Mobile, which Spain desires to acquire." Montmorin to Vergennes, July 21, 1779. Esp., 594, no. 220, p. 491.

1. "We see clearly that there exists in Congress a party of opposition, which, if it is not cold to England at least favors the views of that power." Doniol, Histoire, IV, 97.

2. Instructions to Luzerne. Etats-Unis, IV, fol. 1, no. 41.

all pretensions to it, and would limit themselves to soliciting the favor of the King of Spain.

To the Floridas Vergennes also declared that the United States had no right. They were still an English colony and as such open to conquest by Spain. He declared further that the United States had no interest in possessing them while Spain had a double interest, first at one time they had belonged to her, and secondly it was necessary to secure to her control of the Gulf of Mexico.[1]

Three separate kinds of considerations dictated these instructions: dislike of the antigallican party in America and fear that it would lead the United States into a policy unfavorable to France, a desire to conciliate Spain, and lastly the belief that a large number of Americans favored these terms. Just how strong each of these considerations was, is impossible to say. For the first and third he had ample reason in the reports of Gerard, but Spain had as yet suggested only vaguely her ambition to control the Mississippi river and valley.

Spain had given her orders for the conquest of the Floridas and months were to pass with no news of the future of her expedition. Don Juan de Miralles had been authorized to concert with the Americans a joint attack on these provinces. Before deciding on any further military operations it was necessary to wait for news from D'Estaing who had been instructed to make a naval demonstration in support of the Spanish attack.[2] Spain however still manifested no desire to aid the cause of the independence of the United States.[3] She was willing to grant them subsidies but they were to be used only in an expedition against the Floridas. As month after month passed with no news of the

1. Instructions to Luzerne. Stats-Unis, IX, fol. 1, no. 41.
2. Montmorin to Vergennes, Sept. 27, 1779. Esp.,505, 87, no.165, p.[illegible]
3. "As you have well remarked before and is shown by the writings of Florida Blanca, Spain, I say, has never gratuitously given anything to the Americans". Montmorin to Vergennes, Nov. [illegible], 1779. Esp., 505, 88, no. 168.

expedition against Florida the anxiety and ambition of the Spanish court increased. The king felt that the conquest of Pensacola was the object in America nearest his heart and urged that every effort be put forth to effect it.[1] Plans were hurriedly rushed through to send reinforcements from Havana and the Americans were to be urged more vigorously to aid the conquest.[2] So fearful did Florida Blanca become of the fate of the Spanish expedition that he finally entreated France to send assistance[3] and promised that if Vergennes would furnish troops and ships for the attack he would pay all their expenses.[4] To this proposal Vergennes at once agreed and declared that the French would be ready at any time with their contingent.[5] He thought however that it would not be advisable to speak of this project to the Americans for fear of offending them. At the end of December news came of the success of Galvez on the Mississippi and his proposed attack on Mobile and Pensacola[6] and Florida Blanca at once began to hedge on the project of accepting French aid in the conquest of Florida. He felt that if victory could be assured by the efforts of the Spanish troops alone, it would be folly to pay for French assistance. To Montmorin he intimated that Spain did not wish to attack Pensacola, and that she would not subsidize the French troops prepared for the expedition,[7] but suggested that the united forces make a descent on England.

News of this change of plan aroused much indignation in the

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1. Montmorin to Vergennes, Nov. 8, 1779. Esp., 596, 100, no. 76, p.179.
2. Esp., 596, 90, no. 8, p. 21. Esp., 596, 103, no. 95, p. 224.
3. Montmorin to Vergennes, Nov. 22. Esp., 596, 104, no. 108.
4. Montmorin to Vergennes, Dec. 13. Esp., 596, no. 167, p. 371.
5. Vergennes to Montmorin, Dec. 17. Esp., 596, 81, no. 183, p. 407.
6. Montmorin to Vergennes, Dec. 15, 1779. Esp., 596,113, no. 215,p.468.
7. Florida Blanca to Aranda, Jan. 9, 1780, enclosed with Montmorin's despatchs of same date. Esp., 597, 1, no. 22, p. 51.

mind of Vergennes who declared that the surest and quickest way to finish the war was to push it in America.[1] He felt that Florida Blanca was unreliable in his promises and would present all sorts of excuses for not keeping them[2] and henceforth there was little sympathy manifested between the two courts and the efforts of France became directed almost entirely to the preservation of the independence of the thirteen states.

At the beginning of 1780 Jay and Adams arrived in Europe with instructions on the views of Congress relative to the boundaries and the navigation of the Mississippi. Jay had been friendly to the plans of Gerard[3] and was regarded very favorably by that minister who believed he would consent to the Spanish pretensions, but had become suspicious of French policy before he left America and he had imbibed a still deeper distrust of the ambitions of Spain.[4] With Jay, to think was to act, and he had thought deeply on the claims and pretensions of the Spanish monarchy to the Floridas and the Mississippi valley.[5] He had come, however, to secure the alliance of Spain and the recognition of the rights of the United States, and no sooner did he land than he began preparations to carry out his instructions. On his arrival at Cadiz he sent his secretary, William Carmicheal, ahead to

1. "I am much provoked (bien fache') that Florida Blanca has renounced his enterprise on Pensacola". Vergennes to Montmorin, Jan. 13, 1779. Esp., 597, 5, no. 35, p. 106.

2. Esp., 597, 8, no. 77, p. 219.

3. Gerard to Vergennes, Sept. 9, 1778. Jay wrote that "....both Mr. Gerard and Mr. Miralles....had shown me every mark of civility and attention, though I have reason to think both of them held higher opinions of my docility than were well founded". Jay, On the Navigation of the Mississippi, Correspondence and Public Papers, I, 328.

4. Jay, Correspondence and Public Papers, I, 329.

5. "When Spain afterwards declared war for objects that did not include ours, and in a manner not very civil to our independence I became convinced that we ought not cede to her any of our rights, and of course that we should retain and insist upon our right to the navigation of the Mississippi". Jay, On Navigation of the Mississippi, Correspondence and Public Works, I, 351.

Madrid to sound the Spanish ministry on its intentions towards the United States with instructions to do justice to the interests of Virginia and the western countries near the Mississippi, and to represent to the Spanish court that it would be ages before these extensive regions would be settled. He also asked him to find out the intentions of Spain in regard to the Floridas and the country along the Mississippi.[1] From these instructions it is clear that Jay thoroughly understood the ambitions and intentions of Spain. His information had come to him, when as the friend and comrade of Gerard and Miralles, he had spent long evenings talking over an alliance with Spain and the concessions her king would exact as the price of his help.[2] He knew also that the conditions he had to offer were not such as Spain would wish and that she would likely refuse to acknowledge the independence of the United States unless her terms were acceded to,[1] but to her demands however, he had resolved not to agree.

Jay had not learned that Spain was the dictator in her alliance with France[3] and he did not know that Vergennes was exerting all his power to bring about an understanding between his allies, and that it was Spain who wished to restrict the power of the United States, and who was to prove herself a thorn in the flesh to his efforts to secure the territorial integrity of his country. Franklin had long been silent on the question of the west. Vergennes had not chosen to enter into negotiations with him on the subject, and Congress had sent him no instructions in regard to it; but Franklin, ever awake, had perceived the drift of Spanish policy, and its hostility to his country, and he understood full well that there was no sentiment in the Spanish

1. Jay, Correspondence and Public Papers, I, 266-268.

2. Ibid, I, 327.

3. "I am persuaded that pains will be taken to delay my receiving a decided answer as to my reception, until the sentiments of France shall be known". Jay, Correspondence and Public Papers, I, 266.

ministry favorable to an alliance with the United States.[1] Franklin knew too that Congress had at last decided on a policy and he was ready to work loyally with Jay in carrying it out. Henceforth the representation of Congress in Europe was vigorous and aggressive while Vergennes was compelled to play the role of peacemaker between his allies.

Florida Blanca proved to be more hospitable than Jay had hoped. He wrote a friendly note to Jay inviting him to court but at the same time informing him that he could not be received as the minister of an acknowledged power.[2] Carmicheal, in company with Gerard, was received kindly by the French ambassador who furnished him much information about the disposition of the Spanish king.[3] He learned that several monthe before Miralles had been instructed to enter into engagements with Congress to conquer Florida, and he regarded this as significant for the prospects of a treaty of alliance.

The politeness of Florida Blanca did not convince Jay of the good intentions of Spain. He felt sure that the message of the Spanish minister meant that independence would be acknowledged only if the United States acceded to his terms. Back of the Spanish king he thought he perceived the power and influence of France.[4] Jay however

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1. "But I own too, that my expectations of great aids from that nation are not much stronger than yours. As yet they know us too little, and are jealous of us too much; their long delay in entering into a treaty with us....is to me a mark of their not being over fond of a connection with us". Franklin to Carmichael, Jan. 27, 1780. Wharton, Dip. Cor. III, 476.

2. Florida Blanca to Jay, Feb. 24, 1780. Wharton, Dip. Cor. III, 515.

3. Carmichael to Jay, Feb. 15, 1780, Ibid, III, 496-7.

4. "There are many reasons which induce me to suspect that France is determined to manage between us so as to make us debtors to their influence and good correspondence with Spain for every concession on her part, and to make Spain hold herself obligated to their influence and good correspondence with us for every concession on our part". Jay to Congress, March 3, 1780. Wharton, Dip. Cor., III, 530.

returned a polite answer to Florida Blanca's note[1] and the two soon entered into a discussion of the resources of the United States with the apparent purpose of forming an alliance.[2] It was not until May 11 that they held a discussion on the main points of difference between the two nations. In this conversation Florida Blanca plainly intimated that the great obstacle to the alliance was the claim of the United States to the right to navigate the Mississippi river. He urged also that they settle the question of the boundaries and expressed a desire to obtain such concessions that the English would be entirely excluded from the Gulf of Mexico. Jay reminded Florida Blanca that many of the states had for their western boundary the Mississippi and were interested in its navigation but he expressed the opinion that they would be willing to adopt any reasonable precaution against the carrying of contraband. The Spanish minister courteously expressed his desire for an amicable adjustment and the interview closed. Jay reported to Congress that if it remained firm there would be little doubt of the outcome.[3]

Equally anxious with Jay for an understanding between Spain and the United States was Vergennes, but far better than Jay, he understood the aims of Spanish diplomacy. He knew its dislike of the new republic, and its fear that the example of a successful rebellion would have a dangerous effect on the extended colonies of Spanish America, and finally he understood from long experience its utter selfishness

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1. Jay, Correspondence and Public Papers, I, 276.

2. Florida Blanca wrote to Jay, March 9, desiring before entering into discussion on alliance to know civil and military state of the United States. Correspondence and Public Papers, I, 277. Jay replied in a lengthy memorial on April 25, Ibid, I.

3. Jay, Notes on Conference with Florida Blanca taken immediately after the conversation. Wharton, Dip. Corres., III, 722 et seq.

and greed.[1] At the same time he felt that, in order to hold Spain to the war he must further all her projects as agreed to in the convention, and in accordance with this policy he proposed attacks on Florida[2], Jamaica, Gibraltar and other English possessions.[3] In fact the French ministry displayed more zeal and energy in these undertakings than did the Spanish court. Of all the campaigns inaugurated by Florida Blanca only that of Galvez in Louisiana was carried out with vigor, and he was unsupported by the other Spanish governors.[4] While Spaniards were congratulating themselves on their victories on the Mississippi, their French allies were urging them on to the attack on Mobile and Pensacola, and even against Jamaica. Pensacola was regarded as of immense importance because of its control of the Gulf of Mexico, but the conquest of St. Augustine was held of little value to Spain.[4]

In March Montmorin reported to Vergennes his suspicions that Spain had begun through the Count of Lisbon negotiations for peace with England. These negotiations were a source of much uneasiness to the French ministry; and it was felt necessary to take part in them so as to assure the principal object of the war, the independence of the United States.[5] Montmorin at once began representations to Florida Blanca of the danger of allowing the United States to return to the dominion of England, to which he replied that it was to his interest to keep a constant quarrel and division between the two.[6] Vergennes saw at once that if these negotiations were allowed to continue the

1. Vergennes to Montmorin, March 17, 1780. Esp., 598, 16, no. 37, p. 106. Vergennes frequently expressed his opinion of Spanish policy as selfish and unreasonable with no interest for the rights of other nations.

2. Vergennes to Montmorin, March 13, 1780. Ibid, 17, no. 38, p. 108.

3. Montmorin to Vergennes, March 13, 1780. Ibid, 27, no. 181.

4. Montmorin to Vergennes, March 17, 1780. Esp.,599, 51, no.41, p.76.

5. Montmorin to Vergennes, March 17, 1780. Esp.,598, 27, no.42, p.125.

6. Montmorin to Vergennes, April 14, 1780. Ibid, 41, no. 160, p. 413.

interests of the United States would be sacrificed and France humiliated. So serious was the situation that Louis XVI wrote directly to Charles III urging that the two powers should continue to act together[1]. To this the response was favorable and Charles declared that he would never "compromise either the dignity of his crown or its sacred engagements.[2] Florida Blanca gave some rather lame excuses for the presence of a British agent in Spain and the affair was allowed to drop.

This incident convinced Vergennes that it was necessary to give Spain additional assurances if she was to maintain her interest in the war. In order to allay Spanish suspicions he prepared a memorial on the benefits of an alliance with the United States in which he maintained that there was no danger to the possessions of the Spanish monarchy as long as the United States were dependent upon the two crowns for protection and that this dependence would exist as long as England held Canada and Ohio.[3] Montmorin observed that the great obstacle to an agreement between the two countries was the navigation of the Mississippi[4] and on this account negotiations between Jay and Florida Blanca were proceeding slowly and likely to continue so. He expressed to Vergennes the belief that it would be well to inform Spain of the terms of alliance between France and the United States, to which the latter replied that the best explanation of the relations between the two countries was the text of the treaty of alliance. "Independence", he wrote, "is the first of all; it is the basis of one common treaty and ought to be for the negotiations of peace. The guarantee of the domains of the United States is contingent, their extent will be determined only by a future pacification".[5] He was still de-

1. Doniol Histoire IV, 551-554.

2. Doniol Histoire IV, 456 note.

3. In hand of Vergennes, Apr. 26, 1780. Esp. 599, no. 35, p. 8.

4. Esp., 599, no. 51, p. 119. Ibid, 599, 60, no. 85.

5. Vergennes to Montmorin, June 12,1780. Esp., 599, no. 44, p. 282.

termined however to drive the English out of all territory which was an integral part of the thirteen states.[1]

In June 1780 news reached Spain of the capture of Mobile by the army of Galvez. The court and nation gave way to the livliest expressions of joy[2] and the feeling arose that the Spanish army could defeat the English without any foreign assistance. The effect was disastrous to the work of Jay who found Florida Blanca henceforth more arrogant and exacting, and more unfavorable to the claims of Congress.[3] After his conference with Florida Blanca in May, Jay was unable to get any further propositions from him on the subject of a treaty. He always side stepped any mention of giving aid to the American cause and to the notes of Jay on the subject he had returned no reply. Bills kept coming in for Jay to pay and finally in desperation he went to Montmorin for help. The French minister promised to do what he could and early in September Florida Blanca sent his secretary Gardoqui to reopen negotiations with the American commissioner.

The conferences with Gardoqui began on September 3 and the first question that came up was the payment of bills drawn on Jay. Gardoqui remarked that if the United States expected any help from Spain they must be prepared to offer some consideration in return. He hinted that, among other things, the renunciation of the right to navigate the Mississippi would be most acceptable to his court.[4] To this suggestion Jay replied that the Mississippi could not come in question as a consideration for a hundred thousand pounds. He declared furthermore that the American nation regarded this river as the natural outlet to the vast and fertile regions of the west, and that

1. Vergennes to Montmorin. Esp., 599, 15, no. 120.
2. Esp., 599, no. 65, 66 - 21 Esp., 599, 75, no. 194.
3. Jay, Correspondence and Public Papers I, 386.
4. Jay to Congress. Wharton Dip. Cor. IV, 64.

without it the settlers beyond the Alleghanies could never hope to get their products to the sea.[1] To these arguments Cardoqui observed that the Americans would not need this navigation during their generation and that future generations could care for themselves.

Jay was much discouraged at the progress of his negotiations in Spain and wrote in a discouraged tone to Franklin.[2] He felt that little help could be expected from Spain and that the only just friend of his country was France.[3] Franklin however was more optimistic and urged Jay to continue his efforts. He agreed with him however that the United States should never give up the right to the free navigation of the Mississippi.[4]

On the evening of the 23rd Jay was admitted to a conference with Florida Blanca on the points at issue between the two countries. During the conversation Jay once more brought up the question of an alliance, but Florida Blanca replied that there was no occasion to hurry and Jay would have time to obtain instructions from Congress on the articles to be proposed. He then brought up the question of the exclusive navigation of the Mississippi and its importance to Spain who, he declared would adhere to its rights. He observed that "unless Spain could exclude all nations from the Gulf of Mexico they might as well admit all", that it was one of the principal objects of the war and of greater importance even than Gibralter. If he could obtain

1. Jay, Correspondence & Public Papers I, 395.

2. Jay, Correspondence & Public Papers I, 395.

3. "When I consider on the one hand that France was our first, and is still our best and almost only friend, that she became an ally on terms of equality, neither taking nor attempting to take ungenerous advantage of our situation....gratitude and generosity forbid me to solicit a further tax on her generosity". Jay to Congress, Sept. 22, 1780. Wharton, Dip. Cor., IV, 65.

4. "Poor as we are yet as I know we shall be rich, I would rather agree with them to buy at a great price the whole of this right on the Mississippi than sell a drop of its waters. A neighbor might as well ask me to sell my street door". Franklin to Jay, Oct. 2, 1780. Wharton, Diplomatic Cor., IV, 75.

this, he declared, it would be a matter of indifference whether Spain obtained any other cession.[1] This interview convinced Jay that there was no hope of an immediate treaty with Spain and he turned his attention to other matters.

Although Spain had given the fullest assurances of loyalty to her alliance, she continued her negotiations with England. France was aware of her actions but was in no position to interfere. The war in America had produced no brilliant victories, the treasury was depleted;[2] and the king, grown despondent of the victories, was anxious for peace. The fears of Louis were further increased by the representations of the Spanish court, which was constantly urging suggestions of pacification. Vergennes also was anxious for peace but he had resolved to obtain it only on terms honorable to his king and in accordance with his promises to the United States.[3] That which disturbed him most was the Spanish demand for the uti possidetis in America which would leave England in possession of New York and the two most southern states.[4] In spite of this he urged Montmorin to sound Florida Blanca again to see if he would consent to the recognition of the western states with all their possessions.

Florida Blanca continued his negotiations with England, on the basis of the cession of Gibraltar to Spain and of leaving England in possession of all other territory then held by her arms.[5] This pol

1. Jay to Congress, Nov. 6. Wharton, Dip. Cor., IV, 146.

2. Doniol, Histoire, IV, 487.

3. Ibid, 488, Vergennes to the king, Sept. 27, 1780, Archives Nationales, 164, no. 3.

4. Vergennes to Montmorin, Sept. 27. Esp., 601, 73, no. 17, p. 38.

5. "Either the outcome of the war will be most happy for England or that power will suffer great misfortunes, in the first case Spain will redouble her efforts to make peace with least disadvantage to herself and probably with greatest disadvantages to us, in the second case the court of London will make Spain offers the most liberal and most appropriate to seduce her, she will show herself disposed to cede Gi-

icy would have given Spain possession of all she wished in Florida and have left the United States at the mercy of their neighbors, but it was a policy to which Vergennes would not agree. To Montmorin Florida Blanca asserted that the United States were still attached to England and would prove ungrateful allies to France;[1] but such arguments did not appeal to Vergennes who reasoned that with England in possession of Canada and perhaps one or two of the southern states, there could be nothing but perpetual hostility between the two nations.[2]

It was apparent that Spain would endeavor to make peace on the basis of uti possidetis and the French court feared that it might have to accede to these terms. In order however to obtain for the United States as much of their territory as possible Montmorin proposed to transfer the seat of war to America, and endeavor to drive the British out of New York and their position in the south.[3] This proposition received serious consideration from Vergennes who saw that the Spaniards were trying to confine the United States to the interior with England in possession of all their seaports,[4] and this was a measure which he was resolved to prevent. Spain had no sympathy for England but she was forever jealous of revolting colonies and she wished to make this rebellion a terrible example to her own possessions. No other motive could have led her to demand such hard conditions as the price of recognition of the United States, and to demand such conditions in the face of her old time friend and ally, France.

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braltar, Pensacola and Mobile, and perhaps a part of the fisheries of Newfoundland providing the Americans should be abandoned and France forced to break her agreement with them." Vergennes to Montmorin, Sept. 27, 1780. Esp., 601, 85, no. 155.

1. Montmorin to Vergennes, Nov. 20, 1780. Ibid, 115, no. 142.

2. Vergennes to Montmorin, Dec. 8, 1780. Ibid, 90, no. 172.

3. Montmorin to Vergennes, Oct. 30, Dec. 20, 1780. Ibid, 108, no.100; ibid, 109, no. 101; ibid, 121, no. 219.

4. Vergennes to Montmorin, Nov. 20, 1780. Ibid, 85, no. 155, p. 385.

Vergennes was now firmly convinced that the only aim of Spain was to get all she could out of the war even at the sacrifice of the interests of the United States and the honor of France.[1] As late as March, 1781 Florida Blanca had intimated his objections to recognizing the independence of the United States and had suggested that it would be a great concession if their independence should be assured with such territory as they held against the British,[2] and intimations came to France that Spain desired to control the navigation of the Mississippi and to gain possession of a strip of territory embracing the ancient province of Eastern Louisiana,[3] in addition to the Floridas. On these questions Vergennes took no stand for he felt that they could be settled at the time of the peace by negotiations between the two interested powers.[4] At the same time he declared that the United States must be recognized as an independent nation with all the territories that were a rightful part of their dominions.

France was anxious for peace and was ready to make many concessions to obtain it. The French treasury was empty and there were constant demands upon it, not only to supply French needs but also those of her allies. The war had on the whole been unsuccessful and reports of victory were infrequent. Before seeking peace, however, Vergennes resolved to make one more attempt to drive the English entirely out of the United States and thus secure for them territorial

1. "Never lose sight of the fact that Spain is devoted to her own interests before all else and that she will subordinate to them all other conditions of peace, that she will interest herself very little in the Americans whose independence she would see with grief." Vergennes to Montmorin, Jan. 28, 1781. Esp., 602, 5, no. 47.

2. Montmorin to Vergennes, March 11, 1781. Ibid, no. 16, p. 307.

3. Marbois to Montmorin, Oct. 17, 1780. Esp., 601, 10, no. 63, p.175.

4. Montmorin to Vergennes, March 12, 1781. Esp., 602, no. 18, p. 310. Vergennes to Montmorin, April 12, 1781. Esp., 603, 22, no. 25, p. 57.

unity and a real independence. If this attempt should succeed France could then enforce an honorable peace; "if we fail", he wrote, "we ought not, at least, be blamed for having neglected anything in our power to procure it."[1] The efforts of the French forces were to be directed equally in the interests of Spain and of the United States. De Grasse was sent with a powerful fleet to America,[2] and large sums of money were given to Washington with which to equip new troops.[3] At the same time preparations were made for a new expedition against Pensacola.[4] Soon after this Vergennes wrote to Luzerne that the king was in accord with the policy of Congress to uphold the territorial rights of the union, but warned him the fortunes of war were such that some sacrifices might be necessary for peace.[5] The tone of this message displayed a spirit of fairness and cordiality towards the United States in striking contrast to the arrogant demands of Spain.

During the past Spain and France had drifted farther apart, and had moved along different lines of action. Spain wished to abandon the United States for concessions to herself from England; France insisted that independence should be the first condition of peace and that other advantages should be sought only after this was recognized. This was a policy he had consistently maintained, and in the face of military reverses and of an impoverished treasury and in opposition to the entreaties and threats of his Spanish ally, he remained the loyal and unfaltering friend of the nation he had called into life.

1. Doniol, Histoire, IV, 544.
2. Esp., 608, 15, no. 177.
3. Doniol, Histoire, IV, 587.
4. Esp., 607, 24, no. 80.
5. Etats-Unis, XVII, 19, no. 155.

CHAPTER VII.

LUZERNE AND THE PRETENSIONS OF SPAIN

The independence of the United States was, with Vergennes, the prime object of the war, and to assure this independence continued throughout the first aim of his policy. To him independence meant the independence of the thirteen revolting states with all the territories belonging to them. The extent of their dominions was unknown to him and his idea of it varied at different times, but never did he consider either Canada or the Floridas a part of the United States, for these provinces had never joined in the rebellion, and throughout the war remained peaceful subjects of England. From the idea that they were still integral parts of the British empire there followed naturally enough the opinion that they were legitimate subjects of conquest for any nation at war with the mother country. Canada he resolved to leave in subjection to the British crown, but the Floridas were looked upon with greedy eyes by Spain and he saw no reason for refusing her desire.

There yet remained the questions of the disposition of the Mississippi valley and the control of the great river that gives it its name. On these questions Vergennes had expressed no opinion before the middle of 1779, but as both the Spanish ministry and the American Congress had thoroughly discussed them, he thought it well to take some stand. He had no knowledge of the merits of the dispute, and depended for information on the reports of Gerard and the representations of Florida Blanca. From the former he learned of the different opinions in Congress and of the large number of delegates who were willing to surrender the west; from the latter he heard only assertions of Spain's right to these regions and demands that it be acknowledged. It is doubtless true that Vergennes was also influenced by political

considerations. He was anxious to hold Spain to the war and was willing to make many concessions to keep her government in good humor; and he identified the party in Congress opposed to Spanish pretensions with the antigallican party. Under these circumstances he drew up instructions for Luzerne, the new minister to the United States, in July, 1779. These were, in brief, that Spain should be given the Floridas and control of the navigation of the Mississippi river. On the question of the disposition of Eastern Louisiana he did not commit himself but urged that the two powers come to a definite understanding and that the United States be restrained from any encroachments on territories to which they had no right.[1] On every point these instructions were distinctly unfavorable to the claims of the United States. It is probable that at that time Vergennes had no idea of the extent of Spanish pretensions to the territories east of the Mississippi, but when Spain did present her claims France had been committed to the support of the Spanish position.

Luzerne arrived in America at a time when Congress was most anxious for an alliance with Spain and was willing to make concessions in return for her help.[2] Although Gerard still performed the duties of minister, Luzerne at once began to acquaint himself with conditions in America. He landed in Boston and it was the New England attitude he first investigated. He quickly came to the conclusion that this section still desired the annexation of Canada and especially of Nova Scotia in order to control the fisheries,[3] and he even discussed with

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1. Vergennes to Luzerne, July 18, 1779. Etats-Unis, IX, 1, no. 41.

2. "A number here wish to make an alliance with France and Spain to continue the war". Gerard to Vergennes, Aug. 14, 1779. Etats-Unis, IX, 116, no. 100. See also resolutions of Congress, Sept. 9, in favor of alliance and practically conceding Florida to Spain.

3. "I have observed that the conquest or the independence of Canada lies close to the hearts of the states of New England and they esteem it their safeguard, but if they were compelled to choose between the two provinces they would take Nova Scotia on account of the fisheries,

various people plans to conquer these provinces. He did not, however, dwell long on the project against Canada but proceeded to Philadelphia where he began to survey the field under the tutelage of Gerard.

At this time Congress had practically agreed on a policy by which the Floridas were to go to Spain on condition that the right to navigate the Mississippi and the use of a port on the Gulf be given the United States.[1] To the southern delegates, according to Gerard, the use of a port on the Gulf was of more importance than the right to navigate the river.[2] It was his idea, however, that Spain should take possession of the Floridas and leave the question of granting an outlet to the west for later negotiation.[3]

Luzerne found on his arrival at Philadelphia a Congress very friendly to the alliance with France and anxious for a treaty with Spain, but he also found a Congress more independent and assertive than the one which had followed Gerard so faithfully during the preceding year. He was favorably impressed by his reception and the attitude of the Americans, who, he thought, would offer no serious objections to the demands of the Spanish court. He was confirmed in his opinion after an interview with Washington, who expressed his desire to see Spain in possession of the Floridas and declared his willingness to aid in the conquest.[4]

On the question of the southwest he realized that there would be greater difficulties, for it was a question on which the

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but with the loss of this country Canada would be impossible for England." Luzerne to Vergennes, Sept. 3, 1779. Etats-Unis, X, 3, no. 4.

1. Secret Journals, II, 249. Gerard to Vergennes. Etats-Unis, X, 123, no. 37.

2. Gerard to Vergennes. Etats-Unis, X, 123, no. 37.

3. Gerard to Vergennes. Etats-Unis, X, 122, no. 20.

4. Luzerne to Vergennes. Etats-Unis, X, 4, no. 40.

states themselves could not agree.[1] Out of this disagreement, however, was to come his policy towards the west.

Gerard received his first public audience with Congress on November 17, and entered with energy on the duties of his mission. For some time Miralles had taken little part in the discussions on the west and apparently without orders from his court, he left the claims of Spain to the care of Gerard. In November, however, he received orders from Florida Blanca to urge Congress to aid in the conquest of Florida[2] and at once communicated these instructions to Luzerne[3] with a request that he present the matter to Congress. The instructions relative to the Floridas were in accord with the avowed policy of Spain but Miralles was equally charged to urge Congress to aid in the conquest of the territory to the north and east of Louisiana.[4] Nothing was said of the interest of Spain in this conquest, but in view of the fact that Willing and Clarke were known to have undertaken expedi-

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1. "It is to be feared that these conquests will be a cause of disorder in the American republic and that the first conquest of their united arms will sow new seeds of disunion. The delegates of the neighboring states pretend to have an incontestable right in virtue of their charters, which includes all that which extends westward to the Pacific. On the other side the delegates of the states whose charters do not give them any of this country hold to the principle that a conquest by their common arms and with the united forces of the republic ought to belong in just proportion to all." Luzerne to Vergennes, Nov. 8, 1779. Etats-Unis, X, 9, no. 81.

2. "The honorable Congress having previously proposed to undertake the siege of St. Augustine in East Florida to restore it to the troops of His Catholic Majesty in case of success, I am charged to invite the said Congress to direct the arms of the United States against this city, in the hope that this division will powerfully second those which the arms of the king of Spain have made against Pensacola....." Copy of letter from Miralles to Luzerne, Nov. 25, 1779. Papers of Continental Congress, no. 95. Letters of Luzerne, Vol. 1, p. 21.

3. Luzerne to Vergennes, Nov. 30, 1779. Etats-Unis, X, 15, no. 100.

4. "I am equally directed to invite the honorable Congress to undertake the conquest of the territory....occupied by the English to the northeast of Louisiana and as the government of this province by its knowledgecan contribute infinitely to the success of a like enterprise, it desires to know the plan of operation which Congress has decided on in this region so that on its part it can second all their efforts." Copy of letter from Miralles to Luzerne, Nov. 25, 1779. Papers of the Continental Congress, no. 95. Letters of Luzerne, Vol. 1, p. 22.

tions in this country, the suggestion was significant. Miralles also asked that a committee of three be appointed to confer with him and to explain the ideas of Congress so that the two nations could the better cooperate. In accordance with this request Luzerne submitted his suggestions to Congress and urged most strongly that they should be adopted.[1]

To the proposition regarding the Floridas Congress returned an answer which gave Luzerne reason to think that the United States would surrender West Florida to Spain as soon as its possession was secure.[2] It informed him, however, that before making a definite reply it wished to send a committee to confer with Washington.[3] After listening to the committee Washington approved of the expedition against Florida if the British could first be driven out of the southern states and Congress so informed Luzerne.[4] At this time it also raised a question about forming any definite engagement with Miralles unless he could obtain official credentials from Spain.[5] The assurances of Congress in regard to the Floridas were satisfactory to Miralles, but he was disappointed at receiving no reply concerning the conquest of Louisiana.[6] He had been promised the position of minister plenipotentiary to the United States as soon as Spain should judge it proper to name one and he felt it necessary to accomplish all that was

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1. Papers of the Continental Congress, no. 95. Letters of Luzerne, Vol. 1, p. 25.

2. Luzerne to Vergennes, Nov. 30, 1779. Etats-Unis, X, 15, no. 100, p. 291.

3. Luzerne to Vergennes, Dec. 17, 1779. Etats-Unis, X, 18, no. 118, p. 337. This committee was appointed Nov. 30 and consisted of Philip Schuyler and John Marchant - Journals of the Continental Congress(Hunt ed.) XV, 1331-2. It reported on Dec. 16 and on the same day Congress sent its answer to Luzerne - Ibid, 1387.

4. Journals of the Continental Congress(Hunt ed.) XV, 1369, 1387.

5. Luzerne to Vergennes. Etats-Unis, X, 18, no. 118.

6. Luzerne to Vergennes. Ibid, p. 342.

asked of him. He requested Luzerne to again present the matter to Congress in a more urgent manner, but that diplomat hesitated, for he clearly understood the difficulties in the way. Virginia claimed all the country westward to the Mississippi in virtue of her charter and was busily engaged in conquering it. On the other hand Luzerne judged that Spain had designs on the same territory and "that in inviting the United States to make this conquest she supposes it will be in the same condition that East Florida would be in case they should conquer it". He clearly saw that the aims of Congress were by no means agreeable to such a policy, and he advised that if Spain wanted this territory she must seize it before the Americans should occupy it.[1]

Luzerne reported however that there were a number of delegates in Congress who regarded this territory as still belonging to

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1. "You will notice that in the response which the President of Congress has made....he keeps silent on the requisition made to him by Miralles 'to busy themselves with the conquest of those parts of Louisiana and its dependencies, of which the English are in possession', without adding for whose account this conquest should be made. I have grounds to presume that the interests of some states and their views of aggrandizement are the cause of this silence.... Moreover, Virginia follows her enterprises against the parts of British territory which are found included in the ancient limits of this state as far as the Mississippi and pretends that her charter gives her an incontestable right to this land.

"On the other side the uncertainties which subsisted before the peace of 1763 touching the ancient limits of Louisiana, and the letters of the governor of Havana to Don Juan, appear in some respects, to indicate that the court of Madrid has views on the same territories and that in inviting the United States to make this conquest she supposes it will be in the same manner that East Florida would be in case they conquer it. If such is the plan of His Catholic Majesty the ultimatum of Congress and the operation of the provincial troops of Virginia are of a nature to oppose these plans. The state expects to conquer it at her own expense, for her own account, and for her own particular aggrandizement, as it is richer and more powerful than the others. It appears to have a system of aggrandizement, into which enters some jealousy of Spain and as its ambitions have on several occasions already showed it is likely that it will not be easily induced to sell or cede what it has conquered."
Luzerne to Vergennes, Dec. 17, 1779. Etats-Unis, X, 18, no. 118.

Great Britain and as such open to conquest. These delegates were careful to add, however, that Clark had already advanced as far as the Mississippi, a declaration which, to Luzerne, meant that this region was already regarded as conquered.[1]

At the time when Miralles was most urgent for American help to conquer the Floridas and the British posts on the Mississippi Congress revived the idea of an invasion of Canada. This time Washington approved the project and suggested sending a secret agent to learn the disposition of the Canadians.[2] Luzerne had previously informed Samuel Adams that the French king was not disposed to aid any conquests, but General Gates again came to him for assistance.[3] This time the reply was decisive. He observed that Congress should try to drive the enemy out of the southern states before they attempted such a conquest, but if it preferred an outside attack the Floridas were much more preferable. It is doubtful, however, if this project had any other object than to draw out the ideas of France. When the demands of Miralles were presented to him, Washington had insisted that the British be driven out of the south before any expedition on Florida should be undertaken, and on December 15 he had written Congress that the army was on the point of dissolution.[4] Under such a condition of affairs it is absurd to think that he would seriously contemplate an attack on Canada. He had always been suspicious of the designs of the French, and the year before had opposed such an expedition because he thought it had the support of the French ministry. Now when the interest of his ally was turned towards the Floridas, he favored an invasion of Canada.

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1. Etats-Unis, X, 18, no. 118, p. 344.
2. Washington, Writings (Ford ed.), VIII, 141.
3. Luzerne to Vergennes. Etats-Unis, X, 17, no. 110.
4. Washington, Writings (Ford ed.), VIII, 138.

With him were the New England delegates in Congress, who were sincerely devoted to the annexation of Canada and the antigallicans. In January, McKean of Delaware asked Luzerne if he did not think that the most useful thing the French fleet could do was to conquer Canada.[1] To him the French envoy replied that he had no instructions on the subject but that he thought the most important duty was to drive the English from the states, and then it would be honorable to offer freedom to the Canadians.[1] In all these discussions of an attack on Canada while the British were in possession of the south Luzerne could see nothing but jealousy on the part of the north.[2] It is more probable, however, that they were only evidences of lack of harmony and unity of interest.

The distrust of Spain was greatly increased in January, 1780, when Luzerne revealed to Congress the terms of her professed mediation on the basis of uti possidetis.[3] Luzerne himself did not feel that such conditions were unfair and he urged Congress to use every effort to drive out the British before beginning negotiations for peace.[4] The committee appointed to receive these communications from Luzerne duly reported them to Congress. where their reading was a signal for many bitter speeches. Congress no longer had the great men who had adorned its hall in former years, but it was composed of members who were resentful and narrow,and who were determined to thwart the purposes of Spain. The proposals of the Spanish court had awakened a

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1. Luzerne to Vergennes. Etats-Unis, XI, 27, no. 33.

2. ...."they (the north) see without disquietude the danger of the southern states whose rivalry in resources they fear, and I have grounds to believe that they would abandon them to their fate without regret, if they were sure this sacrifice would facilitate the conquest of Canada." Luzerne to Vergennes, Jan. 23, 1780. Etats-Unis, XI, 27 no. 33.

3. Secret Journals, II, 305.

4. Ibid; Etats-Unis, XI, 28, no. 36.

distruct in America that did not subside during the continuance of the war, and to the end made a settlement between the countries impossible.

Thus far both nations had been playing merely for position and neither side had made any definite demands, although Congress had not receded from its instructions to Jay. In January 1780 the issue was declared in a conference between Luzerne and a committee of Congress,[1] called to discuss the negotiation of a treaty of alliance with Spain. Luzerne, at the instance of Miralles and on behalf of Spain submitted four articles on which Congress should explain itself before beginning the negotiation of a treaty. These articles were:-

1. "A precise and invariable western boundary to the United States.
2. The exclusive navigation of the river Mississippi.
3. The possession of the Floridas.
4. The lands on the left or eastern side of the Mississippi".[2]

On these articles Luzerne explained the ideas of the court of Spain as follows. On the first, that the boundaries of the United States should extend no further westward than those authorized by the royal proclamation of 1763.

If this were granted it would follow in regard to the second article that the United States without any territory on the Mississippi would have no right to navigate that river. On the third it was thought probable that Spain would conquer the Floridas during the war and all dispute over them between the two powers should be removed.[3]

The fourth proposition applied to the lands along the east bank of the lower Mississippi included in West Florida by the royal ordinance of 1767. Spain held that all these lands upon which settle-

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1. This committee was composed of seven members, Mathews, Livingston, Ellsworth, Gerry, Burke, Griffin and McKean. Secret Journals, II,298.

2. Secret Journals, II, 310.

3. Ibid, 310, 311.

ments were prohibited by the proclamation of 1763 still belonged to Great Britain and were subject to conquest. Luzerne declared that she considered the United States as having no right to these territories, because they had never held possession of them before the war and could make no claim to them in virtue of the sovereignty of Great Britain, allegiance to whom they had thrown off. Not content with this exposition of the merits of the case Spain asked that the states refrain from all settlements or conquests in the west and should leave the whole Mississippi valley to her possession.[1]

Upon the disposition of the Floridas, apparently no question was raised. Congress had wished to fix as their northern boundary the line laid down in the proclamation of 1763 while the court of Madrid sought to extend them farther to the north.[2] The question was greatly simplified by the Spanish victories at Fort Natchez which put Galvez in possession of the disputed territory. Miralles had previously been authorized in case the Americans conquered this country, to buy their interests, and Luzerne had already sounded Congress on the purchase when news of this victory arrived. It was clearly understood in Congress that Spain would not surrender any territory held by her arms and the question was not discussed in the conference.

The navigation of the Mississippi received little attention at this time, and in fact there was no need for discussion until the question of the ownership of Eastern Louisiana was decided. Congress

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1. Secret Journals, II, 310, 311.

2. "The court of Madrid will desire perhaps to give them (the Floridas) more extent to the north beyond the 31st degree of latitude, but Congress is of the opinion that his Catholic Majesty will find as much more advantage in the present fixation as, under the Spanish domination the Floridas did not extend in the direction of the northeast farther than the river St. John while the proclamation assigned the river St. Marie as the actual boundary". Luzerne to Vergennes, February 11, 1780. Etats-Unis, XI, 30, no. 53, p. 190.

in claiming the Mississippi as the western boundary had insisted on the natural right to navigate this river and had reinforced its pretentions the guarantee of the treaty of 1763. Congress had however offered to confine its right to merchant ships, and to make suitable regulations against contraband in return for the use of a port on the gulf.[1] Spain had heretofore based her claim to the exclusive navigation of the Mississippi on the ground that the states were in no sense a party to the treaty of Paris and could claim no rights under it. But if the United States must give up their claim to the back countries their pretentions to navigate the Mississippi would be absurd, and the right to do so useless. So this question gave way to the greater one of the ownership of the territory between the Mississippi and the Alleghanies.

The possession of this territory had never before been questioned in Congress and Luzerne himself was not aware of Spain's ambitions until Don Juan communicated to him the instructions he had received in November.[2] He knew already the position of Congress from the instructions of Jay but nevertheless he sounded several members on the question, from none of whom he received a favorable reply. He found that the delegates from the southern and middle states were firm in the persuasion that "the lands which extend from the Atlantic to the Mississippi in parallel lines from the equator, belong to them, either in virtue of their charters or of divers acts of possession".[3] Some of the eastern delegates were more moderate and recognized that if the Spanish should drive the English out of any part of this territory it would be difficult to get them to surrender it, but this view

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1. Luzerne to Vergennes. Etats-Unis, XI, 30, no. 53.
2. Luzerne to Vergennes. Etats-Unis, XI, 30, no. 53.
3. Luzerne to Vergennes. Etats-Unis, XI, 30, no.53.

was not the prevalent one in Congress.

Many members of Congress had become suspicious of Spain when they heard that she had proposed terms of peace on the basis of uti possidetis and when they learned of her ambitions against the western frontier their distrust flamed into indignation. Hardly had the suggestion of giving these lands to her been uttered when Burke of North Carolina interrupted by declaring that the western boundaries of his state were as precise as the eastern, and as authoritative, for they were all fixed under the same title.[1]

The committee of Congress based its arguments for the Mississippi as the western boundary under four articles; the colonial charters, the treaty of Paris in 1763, the proclamation of the king of England in the same year, and the terms of the alliance with France. Luzerne admitted that the charters favored the claims of Congress but protested that they were not valid evidence for they were loosely drawn and often contradictory and had been set aside by subsequent proclamations and acts of the British government, the authority that had granted them. He maintained further that these were domestic regulations, unrecognized by the king of Spain and of no force in international relations. These pretentions have never been upheld by the English government, he argued, which had acknowledged their extravagance in accepting the Mississippi as the western boundary of its possessions.

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1. "I had hardly exposed that which concerns the countries situated on the left of the Mississippi, when a member of the committee from North Carolina said, "our charters, the treaty of 1763, the proclamation of the same year, and finally our treaty with France are precise. I represent myself from the state of which I am a delegate, possession of land bounded by the Mississippi. I know the force and extent of our charters and of our rights, and if those of my condtituents in the territories in question are not clear and certain our rights on the Atlantic coast are equally obscure and doubtful, for they emanate from the same source". Luzerne to Vergennes, February 11, 1780. Etats-Unis, XI, 30, no. 53.

In regard to the treaty of Paris Luzerne pointed out that it had ceded Eastern Louisiana and its dependencies, not to the colonies who could not enter into the treaty but to the king of England. Before this time France had possessed this territory which was never incorporated as part of the colonies, and now Spain was merely attempting to reconquer it from a country with which she was at war. In a case of this kind, he contended, possession was the best title and Spain held this title in virtue of her forces and garrisons already in the country.

The committee replied that England had never acknowledged French right to any territory east of the Mississippi, had gone to war to support her claim to the lands in question and had obtained acknowledgement of it by the treaty of Paris.

To this Luzerne answered that the ambition of England had compelled France and Spain to again take up arms to defend their territories and that her acts had thrown open to modification the whole treaty of Paris. From this he held that Spain had a legitimate right to make what conquests she could and espicially conquests which France had occupied before the war.

In regard to the proclamation of 1763, Luzerne pointed out that it had forbidden English governors to make any grants beyond the head-waters of rivers which emptied into the Atlantic. The committee replied that this provision was the occasion for many protests and universal discontent, and that the proclamation itself contained an article providing that the lands reserved should still be considered as under the provisions of the colonial charters. They declared that this reservation was made only for the protection of the Indians and that the United States would follow the same policy, but if the savages wished to sell their lands Congress had the exclusive right to buy them. With this much knowledge of the policy of the English gov-

ernment they did not recognize that the proclamation of 1763 was but a temporary expedient.[1]

On the fourth point Luzerne denied that the treaty of alliance assured the possession of the lands west of the Alleghanies and there appears to have been no further discussion of this question.

In closing the conference Luzerne remarked on the disposition of Congress to substitute for the principles of fairness and justice the subtleties of the law, but in spite of this he assured them that the court of Spain would show itself moderate in its demands. The committee in turn declared its loyalty to the alliance with France and that the Unites States would abandon their interests to the justice and wisdom of His Christian Majesty.[2]

In this conference Luzerne was not convinced of the success of his arguments and urged his master that if Spain wanted the land in question she should conquer it before the Americans could occupy it. Within a month news reached Philadelphia that the Spanish troops had seized the lands along the lower Mississippi and in order to inform the Americans of the Spanish occupation Miralles had an account of the conquest published in the papers with the intimation that Spain would hold them.[3] This information aroused much bitterness among the people, many of whom held grants of land in this region, and Congress proposed to take the matter under consideration.[4] Luzerne perceived that such

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1. See Alvord, Genesis of the Proclamation of 1763.

2. The only account of this interview is given by Luzerne in his report of Feb. 11 to Vergennes. Etats-Unis, XI, 30, no. 53, p. 184.

3. Luzerne to Vergennes, March 13, 1780. Etats-Unis, XI, 33, no. 79.

4. "Several inhabitants of Philadelphia pretend to the possession of these same lands, either by virtue of patents acquired from their respective states or by purchase from the savages.... They tell me that they fear the court of Madrid has not been informed of the state of the question, and that it is from lack of knowledge of their rights that it has turned its arms against territories comprised in the respective charters of the states. A company of merchants called the

action would set the United States and Spain in open opposition and he used his influence to have all discussion of the subject postponed until resentment had cooled.[1]

Luzerne now felt that the time was near when a decision must be reached. He suggested that Miralles and he work together and declare boldly to Congress the pretensions of Spain, and seek to win it to a more liberal policy. Miralles replied ridiculing the claims of Congress, but insisted that he must wait for further instructions from his court. He also begged Luzerne to take no further part in the negotiations, and declared that he "would see with pain an affair of particular interest to the king treated by another than himself."[2] Henceforth Luzerne took no part in the formal negotiations on the subject but he continued his efforts to influence individual members of Congress.

When the report of Luzerne on his conference with the members of Congress, reached Vergennes, the latter replied in a communication notable for its moderation. He complimented Congress on its justice in leaving the Floridas to Spain and expressed his pleasure that that affair was settled. On the question of Eastern Louisiana he maintained that Spain had a right to conquer it, but he urged also a recognition of the interests of the United States. He felt that the dispute might arouse ill-will between the two countries and instructed

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India Company, continues to grant lands....and they have sent to Steuben a patent containing the gift of 25,000 acres of land situated on the Mississippi.... Some members of Congress have at last spoken to me of this conquest and say that they see with pain the thirteen states differ from the court of Spain on this important question, and that it is necessary to prevent early the bad feeling which may result...." Luzerne to Vergennes, March 13. Etats-Unis, XI, 33, no.79.

2. Luzerne to Vergennes, March 13. Etats-Unis, XI, 33, no. 79.

3. Luzerne to Vergennes, March 13. Etats-Unis, XI.

Luzerne to be careful of the feelings of the allies of the king and to give neither any cause for offence.[1] He hinted that Florida Blanca was likely, of his own free will, to give up the lands east of the Mississippi and even to accord the Americans some rights to navigate the river and suggested that Congress throw itself on the magnanimity of the Spanish king.[1]

News of the Spanish conquests in the southwest aroused great indignation in Congress, and Luzerne fearing a breach between the two countries began to advocate a more liberal policy towards the United States. He still maintained that Spain had a right to conquer the territories in question, but he also suggested that the United States had an equal right to conquer them. The practical result of his argument, however, was in favor of Spain for he insisted that, since that power had already occupied the country, the United States could not out of considerations of justice and prudence, attempt to seize it. The delegates of Congress had come to admit the right of Spain to seize the country but they protested that the seizure of a few posts at the mouth of the Mississippi did not give Spain possession of the whole basin of the river.[2] They furthermore contended that the United

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1. "It follows from these considerations that you ought to abstain carefully from any ministerial interview on this matter. It is fitting that we should leave the discussion to Don Miralles....but if you are in a position to make some confidential insinuations to leading members of Congress you should limit yourself to counsel them not to speak to the court of Madrid of right but to ask only the magnanimity of His Catholic Majesty. If I am well informed the Spanish minister is not far removed from abandoning to the Americans the rivers east of the Mississippi beyond the Floridas and likewise to accord them some navigation on this river." Vergennes to Luzerne, June 3, 1780. Etats-Unis, XII, 7, no. 61.

2. "I have already made the only delegates who represent Carolina in Congress believe that although the United States had the right to make the conquest of these countries before Spain had taken possession of them over the common enemy, this power had also the right to conquer them and that, being at present in possession of them the United States could not lay claim to them without wounding, at the same time, the laws of justice and of good neighborliness, as well as the rules of prudence.... 'May Heaven preserve us', the delegate said to me,

States had an equal claim to most of the east bank of the Mississippi in virtue of the settlements made there and of the conquests of Clarke.[1] The answer of Luzerne was that these settlements were made by the authority of the British crown and as such were subject, not to the states, but to England.[2]

Miralles saw with distrust the informal negotiations going on between Luzerne and members of Congress and again importuned the French minister not to discuss the question. For a time Luzerne conformed to the wishes of the Spanish agent and Congress devoted itself to other matters. But Luzerne did not lose his interest in the affair. He continued his speculations in long despatches to Vergennes and Montmorin, in which he advised that Spain should seize the disputed territory and that if Congress wished to obtain possession, it should throw it self on the generosity of His Catholic Majesty.[3]

Two months passed by without further discussions of the western territories between Congress and Luzerne. During this time Miralles died,begging with his last breath that Luzerne should not a-

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'even from an idea of a contest with Spain, but you will admit that, for having conquered a corner of land near the mouth of the Mississippi and the river Iberville, this power has not the right to say that a country of 500 leagues of extent has fallen under her power, and to attribute to herself the sovereignty!" Luzerne to Vergennes, March 13, 1780. Etats-Unis, XI, 33, no. 79.

2. "This delegate told me that he saw with grief that Spain did not act on principles as liberal as the king their ally, and he added that for several years there had been numerous emigrations of the inhabitants of the United States who had established themselves in these countries, each within the extent of the charters, that their intention had been to remain under the government of the English colony. ....and it was necessary to regard this occupation, accompanied by acts of jurisdiction, as equivalent to a conquest, and that the states having the advantage of priority over the Spaniards it was the latter who had troubled the states in their possessions." Luzerne to Vergennes, March 13. Etats-Unis, XI, 33, no. 79.

3. "I answered that this occupation did not give any more right to the subjects of the thirteen states than it would have been able to give to France, to Poland, or to Germany, if after the peace of Paris, the French, the Poles or the Germans had established themselves in that part of ancient Louisiana." Luzerne to Vergennes, March 13, 1780. Etats-Unis,XI, 33, no. 79.

3. Luzerne to Vergennes. Etats-Unis, XI, 35, no. 87.

gain interfere.[1] Luzerne made the promise, but it was not long until he was again agitating the matter with his friends in Congress. From them he learned the difficulties of the question and came to the conclusion that the two powers could never come to an agreement. The actual ownership of the country, he believed, could be determined only by military occupation.[2]

During the summer of 1780 Congress assumed a more independent attitude. It believed that independence was assured and began to make greater efforts to extend the boundaries of the United States. Again the project of invading Canada was suggested and was supported by a large number of delegates. The north supported the idea from a sincere desire to gain possession of the country with all its valuable fisheries, while the middle and southern states favored it with the design of exchanging territory conquered in that section for the surrender of the three southern states which were occupied by the British.[3] On the question of the western boundaries it showed no sign of receding and Luzerne became alarmed. He declared that England would never consent to exchange the three southern states for Canada,[3] and entrenched in the southern part of the continent, she would become a menace to both the United States and Spain.

Under the circumstances he felt justified in disregarding the wishes of the dead Miralles and the instructions of his court and

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1. "M. Miralles has begged me not to try to change the sentiments of Congress on this matter. He has told his court the motives that led him to ask me to remain inactive and as he has constantly insisted on this opinion I shall conform to it until further orders." Luzerne to Montmorin, May 7, 1780. Espagne, 599, no. 16. What these motives were can probably be learned only from the Spanish archives.

2. "It will not perhaps be agreeable to the thirteen united states to change resolutions, formed after long debates, resolutions that Congress considers as the most favorable to the Spaniard.... I say frankly that I count little on any one's being able to come to an accomodation by any amicable means." Luzerne to Montmorin, May 7, 1780. Espagne, 599, no. 16, p. 25.

3. Luzerne to Vergennes, May 20, 1780. Etats-Unis, XII, 49, no. 33. Luzerne to Vergennes, Aug. 26, 1780. Etats-Unis, XIII,74, no. 152.

began to persuade members of Congress towards a more favorable view of the desires of Spain, and on the 16th of May he asked Congress for the appointment of a committee to confer with him concerning the posts held by the British and all matters connected with the territories of the United States.[1]

It was, however, by conferences with individual members of Congress that Luzerne hoped to get the best results. He first approached the president of Congress, Samuel Huntington of Connecticut, and his friends. He succeeded in arousing their jealousy of the west by suggesting the great immigration which would inevitably set in from the east to these fertile valleys. He pointed out also that the possession of the Mississippi valley would never be a source of strength but would cause constant friction with Spain.[2] In these interviews Luzerne felt that he had convinced the north of the right of Spain to conquer Eastern Louisiana, since it was ceded to England by the treaty of 1763 and was still actually in her hands.[3] After winning over to his side the president he passed on to the delegates from New York, New Jersey, Pennsylvania and Delaware. These states had little interest in the western lands and he felt they would come to his aid. He found them in a state of indifference but unwilling to abandon the claims of their sister states.[3] Even the delegates from Virginia listened with favor to the propositions of Luzerne,for the County of Kentucky had just declared its independence, and in this incident they feared the beginning of the dissolution of all the states.[4]

1. Papers of the Continental Congress, no. 95. Letters of Luzerne,Vol.I.

2. Luzerne to Montmorin, May 12. Espagne, 599, 4, no. 49.

3. Luzerne to Vergennes, June 11. Etats-Unis, XII, 54, no. 74.

4. "Virginia shows less attachment to that which she formerly sustained and I have found the delegates of this state much more moderate than I had heard. This change is perhaps due to a particular circumstance, that the inhabitants of that part of the state removed from the seat

Maryland, he found the most favorable of all to the projects of Spain. She had no interest in the west and Jennifer, her delegate, was intensely jealous of the power of the larger states. He declared to Luzerne that Spain not only had a perfect right to make the conquest, but that if she should drive the British out of Georgia that state would also be a legitimate prize.[1] Here was a man who could perform valuable service in the Spanish cause and Luzerne enlisted him at once and through him urged his arguments on Congress.

It was not long however before the activities of the French minister aroused the suspicions of the zealous and vehement Burke of North Carolina. Since the arrival of Luzerne the two had held opposing opinions and not unfrequently had clashed. We have no full account of Burke's arguments but we know that they were of a character to arouse the fear of the French minister,[2] and it was probably his fiery denunciations that terrified Miralles into silence. Burke openly denounced the ambitions of Spain as overbearing and unjust, as contrary to the rights of the states and as prejudicial to their happiness and tranquilty. The report of Jay on his mission to Spain had not yet arrived and Luzerne feared that if it should be unfavorable to the American demands, Burke would sweep all Congress to his side and induce it to lay claim to the Floridas as well as the western territories.[3] Henceforth there were two well defined parties in Congress, the French and Spanish party with Jennifer for spokesman and the opposition under the radical leadership of Burke.

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of government announce at this moment, their views of independence and their project of forming a seperate state. This incident and the difficulty of holding the insurgents make them see better all the reasons against distant possessions and extended ones, and the danger of dismemberment of a state. Luzerne to Montmorin, June 11. Espagne, 599, 5, no. 117.

1. Luzerne to Montmorin. Espagne, 599, 5, no. 117. Etats-Unis, XII, 54, no. 74.

2. Espagne, 599, 5, no. 117; Etats-Unis, XII, 54, no. 74.

3. Luzerne to Montmorin. Espagne, 599, 5, no. 117.

The ardor of Burke soon won many delegates who had previously been friendly to the ideas of Spain. One delegate from New York informed Luzerne that he could, without any complaint from his constituents, renounce in favor of France Canada and Nova Scotia, which were not included in the charters of the thirteen states, and which had not joined in the war. But if he should vote to surrender Eastern Louisiana, which was plainly included in the charters of the southern states, he declared that he would expose himself to the charge of having sold the vast possessions of these states for money, and of having violated the sacred laws of the union in sacrificing the rights of some states for the benefit of others.[1]

When Luzerne found that argument could not convince Congress of the justice of Spain's pretensions, his tone changed from persuasion almost to threats. The United States has no means to conquer the western territories, he declared, while Spain has. He urged Congress to enter at once into negotiations on this matter and seek only what Spain would give, but the only promise he could obtain was the decision to wait for Jay's reports. With this he had to be content, but he was little satisfied with the attitude of the Americans.[2]

Luzerne continued his efforts with the individual members of Congress but attempted to make no more official representations on the question. He was much afraid that the report of Jay's mission would produce illfeeling and did all he could in advance to discount its effect.[3] He had thought first of trying to get Congress to cede, by a preliminary treaty, the disputed territory to Spain, but he knew that such an attempt would precipitate violent debates, in which New Eng-

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1. Luzerne to Montmorin. Espagne, 599, 5, no. 117.

2. Luzerne to Montmorin. Ibid, 4, no. 49.

3. Espagne, 599, 5, no. 117. Etats-Unis, XII, 54, no. 74.

land, anxious to get some part of Canada, would support the southern pretensions. The best way out of the dilemma, he considered, would be for Spain to seize what she wished and leave the Americans dependent upon her bounty.[1]

The English themselves were fearful of an attack on Canada and increased its defences.[2] They sought also to win over the people of the three southern states and insinuated to them that their compatriots of the north had abandoned them and had proposed to the court of London to treat for independence with the exclusion of Georgia and the Carolinas from the union. Luzerne perceived the drift of British policy with its conciliatory attitude towards the southern states in striking contrast to its severity in the north, but he still believed that Congress would remain true to the interests of the confederacy and its engagements with the king. These southern states were in the hands of British soldiers, but they kept delegates in the Continental Congress, and many patriots, expelled from their homes, came to Philadelphia to concert measures for driving out the enemy.[3] Luzerne thought this a favorable moment to get them to yield their claims to Eastern Louisiana and sought to push this policy regardless of Congress. He gave his attention first to patriotic southerners who had been driven out by the British.[4] The most prominent of these was Governor Rutledge of South Carolina, who expressed much confidence in the justice of Spain.[5] He was, however, ignorant of the points of differ-

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1. Espagne, 599, 5, no. 117. Etats-Unis, XII, 54, no. 74.

2. Luzerne to Vergennes, June 24, 1780. Etats-Unis, XII, 57, no. 118, p. 396.

3. Espagne, 599, 6, no. 182.

4. Luzerne to Montmorin, July 11, 1780. Espagne, 599, 6, no. 182.

5. "He told me that the Spanish governor had replied to his officer (who had been sent to demand help)in a manner to convince the Carolinians of the sincere interest which His Catholic Majesty has in the preservation of their independence." Luzerne to Montmorin, Aug. 7, 1780. Espagne, 600, 7, no. 29.

ence between the two countries[1] and had no idea of surrendering the western lands. When he learned that Spain laid claim to Eastern Louisiana and had already attempted to possess it, his attitude became at once suspicious and even hostile. He insisted that the southern states never would agree to such conditions, and that if Spain attempted to extend her sovereignty over these regions she would expose herself to perpetual war. "Congress cannot see without jealousy", he exclaimed, "another nation in possession of this territory with power to incite the savages against us and to expose our frontier to continual invasion.[2] If these principles are admitted as just, he insisted, Spain has a right to conquer Canada in spite of the danger it would bring the United States.

Luzerne in turn pointed out the loss of population which the older states would surely suffer if the west were incorporated into the union. He maintained that the balance of power would shift beyond the mountains and finally the government itself would receive its direction from the banks of the Mississippi. In reply to this Rutledge advanced an idea entirely new to the French minister that the west should be formed into states entirely independent of the east or confederated with it on equal terms.[3]

The attitude of Rutledge is typical of the state of public feeling. He was a patriotic American trusting in the good will of France and Spain to recognize all the claims of his country. He, like his countrymen, did not realize that Spain had any interest in the west or believe that she had any right to it. Eastern Louisiana had been for so many years a recognized part of the colonial domain that

1. "Rutledge appeared to have no knowledge of the question. He asked me if this(the demand of Spain)would be the left bank of the Mississippi as far as the 31st parallel which Spain would ask as her boundary." Luzerne to Montmorin, Aug. 3. Espagne, 600, 7, no. 29.- Etats-Unis, XIII, 7, 90.
2. Espagne, 600, 7, no. 29, p. 60. Etats-Unis, XIII, 7, 90.
3. Espagne, 600, 7, no. 29, p. 62. Etats-Unis, XIII, 7, 90.

it seemed incredible another could make any claim to it. The feeling of the country had been reflected in Congress, which took a definite stand on the western boundaries in its first instructions to Jay. The mere fact, however, that this body so definitely stipulated the western and southern boundaries indicates that it feared the ambitions of the Spanish court, and was resolved to seek as early recognition as possible of its claims.

Against the historic belief of the American states was opposed the jealousy and greed of Spain. Greed and jealousy both were there: that insatiable greed for land and wealth that has been the curse of the Spanish monarchy, jealousy that a new power should rise which might attain a degree of prosperity and strength that would her own. Jealousy in this case was stronger even than Spanish greed, but perhaps it was a jealousy not unmixed with fear. Spain had no need for the fertile plains of Eastern Louisiana while across the river were the boundless regions of her own territories, still undeveloped and as yet hardly touched by cultivation. The east bank of the Mississippi was beginning to show traces of improvement under the labors of the hardy frontiersman, but there was not enough yet to tempt the cupidity of Spain. It was jealousy - blind jealousy - that sought to coop the new republic between the Alleghanies and the sea. It was jealousy that had opposed the independence of the United States, that had dictated the professed mediation, by the terms of which England was to hold the inlets and outlets that of right belonged to this country, and it was the same jealousy that opposed the union of Canada and Nova Scotia to the new republic. It was a jealousy that assumed many forms. Now it was the fear of the example of rebellion before the Spanish colonies, then it was the menace of a new power on her frontiers, again it was the desire to recover the historic empire of France, and finally it was the pretense of rendering justice to the

English crown.

Vergennes had long understood this feeling of the Spanish court[1] and it was one of the chief efforts of his diplomacy to render it harmless. After the convention of 1779 he sought earnestly to bring his allies into a new triple alliance[2] against the power of the British empire. Failing in this he turned his attention to holding the balance even between the United States and Spain. The prime object of the war, he had often declared, was to secure the independence of the thirteen states without sacrificing any part of them. This was a big guarantee and Spain insisted and enforced the contention that she should be given equal advantages. From the first Vergennes had found the office of mediator a trying one, in which he was frequently the dupe of Spain, and yet he strove faithfully to fulfill his obligations to both. He drafted his first instructions to Luzerne at a time when he did not know of the ambitions of Spain but had heard of the extravagant demands of Congress for the conquest of Canada and the Floridas. His decision in favor of giving to Spain the exclusive navigation of the Mississippi river, he regarded as of little detriment to the United States and as immensely valuable in the eyes of Spain. His instructions to restrain the Americans from the spirit of conquest in the west can in no sense be taken as a decision against the right of the states to their western possessions. He had as yet received no intimation of the overwhelming ambition of Spain but wished only to preserve for her the province of West Florida, guaranteed to her in the alliance between the two countries.

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1. "The principle of personal interest directs the conduct of Spain towards the United States." Vergennes, March 13, 1780. Espagne, 598, 16, no. 37.

2. "Spain takes no interest in the independence of the United States, and the king is firmly opposed to recognizing it." Montmorin to Vergennes, March 20, 1780. Espagne, 598, no. 110.

Luzerne interpreted his instructions to look after the interests of Spain and to restrain the aggressions of the Americans with more ardor than discretion. In them he found reference to some "lands on the Mississippi conquered by the English" and another clause to "prevent encroachments",[1] so when Miralles revealed his intention to seek the annexation of the territory east of the Mississippi, he decided to support these pretensions. In following this course of action Luzerne exceeded his instructions, which did not in the least authorize him to advance the pretensions of Spain but merely to restrain the ambitions of the states. That the policy advanced by Miralles was new to him and a complete surprise he frankly confessed,[2] and he could well assume that it was unknown to his master.

As soon as the question of Eastern Louisiana came up, Vergennes sent new instructions to Luzerne, in which he did not pretend to decide the merits of the dispute between his allies but advised that Congress throw itself on the generosity of the king of Spain.[3]

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1. "As the Spanish possessions touch those of the United States or to speak more accurately, there are on the Mississippi some lands conquered by England and as there is ground to believe that that power will be dispossessed of them, their occupation will easily occasion discussions between Spain and Congress, and it is of the greatest interest to this assembly to prevent them, by fixing in a manner, clear, precise, and invariable, the boundaries and pretensions of the United States in that region and above all to prevent encroachments and to hinder the southern provinces from giving way to the spirit of conquest." Vergennes to Luzerne, July 18, 1779. Etats-Unis, IX,1,no.41.

2. Etats-Unis, XI, 30, no. 53.

3. "I do not know well enough their rights nor those of Spain to have a fixed opinion in this matter,....but I think the Americans, if they wish to conduct themselves wisely and decently can do no better than expose with frankness and confidence their desires to the Catholic king, not speaking of right, but saying that the magnanimity of this monarch will dictate to them." Vergennes to Luzerne, Sept. 25, 1779. Etats-Unis, X, 126, no. 38.

He was pleased with the result of Luzerne's conference with Congress in January, 1780, and expressed his satisfaction at the liberality of the Americans in making no claims to Florida. On the dispute between Congress and the Spanish monarchy over Eastern Louisiana he gave as his private belief the right of Spain to conquer this province, but strongly urged his minister not to interfere or express an opinion on the subject.[1] He realized that it was a delicate question and that if France wished to keep the good will of her allies she must, under no circumstances, interfere in their disputes. In August of the same year he repeated these instructions in which he authorized Luzerne to go no farther than to try to create in Congress a confidence in the justice of the Catholic king.[2]

That Vergennes had the true interests of the American republic at heart is shown again in a particular project[7] to Lafayette in which he advised him and Washington on the course America should take. He suggested helping Spain conquer the Floridas in order to win her good will but he also urged that they drive the enemy as far as possible from their territories. He declared that there would be great danger to the Americans if England were left in possession of Florida, the Mississippi, and Canada.

All the private opinions and public despatches of Vergennes indicate a true interest in the welfare of the American republic. He was willing to reward Spain for her services, but he never offered her more than the Floridas. On the other hand he always insisted upon, as the first triumph of the war, the independence of the United States in their fullest extent. To justify to him their right to the Mississippi valley was to insure his efforts to secure it. And this determination to secure the full rights of his ally remained his to the end.

1. Etats-Unis, XII, 7, no. 61.
2. Ibid, XIII, 8, no. 101.
3. Doniol, Histoire, IV, 318.

CHAPTER VIII.

THE TRIUMPH OF THE ANTIGALLICAN PARTY.

The efforts of Luzerne had left the Congressional mind in a state of indecision and the direction of further negotiations at Philadelphia hung upon the success of Jay. If Spain showed a favorable demeanor toward the new nation, her agents could hope for many concessions; if she frowned upon its ambitions, the work of bringing about an agreement must be begun again. Under these conditions all factions awaited anxiously news from Spain. Some hoped for a message recording failure, but the more moderate element in Congress expected an account of mutual concessions. Luzerne feared that nothing would be accomplished and did his best to prepare Congress for such intelligence. He knew from the attitude of Miralles that the American demands would not be granted, and he feared that Spain would reject all overtures of an alliance.

The despatches of Jay giving an account of activities during the spring of 1780, reached Philadelphia in August,[1] and were not as unfavorable as Luzerne feared. The demands of Florida Blanca for the exclusive navigation of the Mississippi were not unexpected, and his suggestions for the western boundaries were so vague that no one could understand them. The Spanish minister had mentioned Cape Antoine or Antonio and another cape with name left blank.[2] Where Cape Antonio was, no one knew and there were various suggestions as to what the other cape could be. No one could say in what direction the line was to be drawn, but Luzerne suggested that it was a meridian extending as far as Spain should wish to prolong it,[3] and this was the occasion of

1. Journals of Continental Congress (Hunt ed.), XVII,727,737,749.
2. Jay to Congress. Wharton, Diplomatic Correspondence, III, 724. Espagne, 600, 8, no. 108.
3. Espagne, 600, 8, no. 108.

much more discussion. Some thought that it might be extended as far as Lake Michigan in which all the western possessions of the states would be cut off.[1] The agitation continued for some time when on August 22 a committee of three[2] was appointed to report on the meaning of this part of Jay's letter.[3]

Luzerne felt that his promise to Miralles was fulfilled in the arrival of Jay's letters and he at once proceeded to interview the members of this committee in behalf of Spain. The report of Jay shed such a different light on the Spanish demands that Luzerne felt at loss to know what to insist upon, and so resolved to confine his efforts to winning the confidence of the committee[4] and of the other members of Congress.

The first member whom he sought out was Joseph Jones, delegate from Virginia,[5] who had previously informed Luzerne that he disapproved of the ambitions of his state and that he considered "its immense extent and that which it proposes to acquire as a cause of feebleness and ruin".[5] Jones declared that he still held to his principles but that he was bound by instructions from his constituents to insist on the right to navigate the Mississippi and to carry on trade through some part of the gulf.[5] These instructions said nothing of

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1. Espagne, 600, 8, no. 108.

2. Journals of Continental Congress (Hunt ed.), XVII, 734. The members were Joseph Jones, George Walton and Thomas McKean.

3. Espagne, 600, 8, no. 108.

4. "I have believed that I ought to enter into some communication with Congress as soon as these letters arrived, but I am still less instructed of the true intentions of Madrid.... I have determined to see in particular each of the members of the committee to engage them to depend on me to satisfy the court of Madrid." Luzerne to Montmorin, Luzerne to Vergennes, Aug. 25. Etats-Unis, XIII, 73, no. 150. Aug. 25, 1780. Espagne, 600, 8, no. 108.

5. Report of Luzerne, Aug. 25. Etats-Unis, XIII, 73, no. 150. Espagne, 600, 8, no. 108.

the boundaries, for Virginia had never imagined that they would be a cause of dispute, but Jones said, that under the circumstances, he would not dare accede to the demands of Spain. Jones then passed on to describe the annoyance and anger in Congress that an outside power should attempt to take advantage of the distress of the states, and as the interview progressed he began to show hostility to the designs of Spain. In regard to the clause in Jay's despatch relating to the boundaries Jones displayed considerable feeling. He had placed the Cape Antoine mentioned by Jay at a point fifteen leagues above the mouth of the Ohio and complained that this boundary would rob the states of the richest part of their patrimony.[1] Congress, he declared, can treat with Spain only on solid and endurable terms and although it can make some concessions they must be based on justice. If we cede all this territory to Spain, he declared, she can not possess it, for the people already there will never submit to her yoke.[1] On the question of the navigation of the Mississippi Jones soon became equally obstinate. He insisted that this river and the St. Lawrence were the only natural outlets of the west, and the people there had so long enjoyed the use of the former that it would be impossible to make them give it up.

To both conditions Luzerne responded vaguely and advised, in accordance with Vergennes' instructions, that Congress should throw itself on the generosity of the king of Spain. This did not satisfy Jones who declared that it had been observed that if Spain had the

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1. "....Our most beautiful territory will be threatened by invasion, we shall see ourselves despoiled of the lands washed by the Ohio, and the rivers Cherokas (Tennessee) and Cumberland, which empty themselves after having watered the richest country of this continent, the numerous population who possess it, and whose work has made it valuable will be forced to abandon it." Luzerne's report, Aug. 25. Etats-Unis, XIII, 73, no. 150. Espagne, 600, 8, no. 108.

right to take the western territories she had an equal right to conquer any place in the possession of the English, such as Georgia, South Carolina, or New York. Luzerne impolitically replied that such was the case but that the friendship of Spain would make no unjust demands.[1] This answer in no way satisfied the delegate, who had become suspicious of Spanish intentions, and who in a great degree reflected the ideas of Congress.

At this time Jennifer was absent and his aid was sorely needed by the French minister. With the defection of Jones there was no one on whom to rely and he was compelled to go in person to learn the designs of the antigallicans. The committee told him that the instructions to be given Jay on the question of the Mississippi would be such that Spain could accept, but the members refused to commit themselves regarding the boundaries.[1] Luzerne was not content and went to other members, whom he found agreeable enough in conversation, but who persisted in opposing his plans in Congress.[2] At the same time there was apparent a movement of the northern members to support the pretensions of the south and Luzerne conjectured that they were planning another attack on Canada.

This belief soon became a certainty and Luzerne learned that Canada was to be sought as a pledge for the evacuation of the southern states. He did not believe, however, that the English would be willing to make the exchange and he thought they would attempt to unite these states with the Floridas to form a new colony.[3]

Deprived of any active assistance from the Americans Luzerne

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1. Etats-Unis, XIII, 73, no. 150. Espagne, 600, 8, no. 108.
2. Luzerne, Aug. 25, 1780. Ibid.
3. Etats-Unis, XIII, 74, no. 152.

enlisted the services of his secretary Marbois and the two planned to curb any radical policy that should get free rein in Congress. They two found it difficult to get definite information, and Congress itself, torn by the fear of losing the assistance of Spain and the desire to hold the Mississippi, was undecided what course to take.[1] It soon became clear, however, that this body would not yield. One delegate informed Luzerne that it was disposed to grant Jay greater discretion in regard to the Mississippi river, but on further discussion he revealed that this discretion would allow only a more systematic regulation of contraband.[2]

On the question of the disposition of the western territories there were numerous opinions. Many members thought the report of Jay was so vague that they could take no action on it, and wished to wait for further advices.[3] Luzerne regarded this delay as favorable to the Spanish interests and he and his secretary strained every nerve to win over a majority of Congress. In these negotiations he labored under a great disadvantage in having no precise instructions from Spain and in not knowing the exact limit of her pretensions. Eagerly he searched the papers of Miralles, left in the hands of the dead Spaniard's secretary, but in them was no trace of the designs of Florida Blanca. Anxiously he awaited the arrival of a new Spanish agent, who could furnish the chart of his movements.[4] The legal status of the west claimed the attention of the learned Marbois. With members of Congress he went over the charters of the different states, com-

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1. Etats-Unis, XIII, 80, no. 186.

2. Ibid, 78, no. 176.

3. Luzerne to Vergennes,- Etats-Unis, XIII, 78, no. 176. Marbois to Vergennes,-Ibid, XIV, 88, no. 14.

4. Luzerne to Vergennes, Sept. 19, 1780. Etats-Unis, XIII, 80, no.186.

pared them and pointed out that they were "contradictory, inconsistent and ridiculous". In them he found imaginary boundaries and designations of countries that never existed. Under his logic and ridicule the claim of immemorial right was abandoned and Congress took its position on the ground of occupation and possession.[1]

Borne down by the arguments of the Frenchman several members of Congress indicated their willingness to accept a compromise. They suggested the cession to Spain of the lands between the Mississippi and the right bank of the Appalachicola, as far north as the river Chikautaus.[2] In these overtures Luzerne had little faith for they were bitterly attacked by the southern states who raised the cry that Spain was seeking their dismemberment, and many northern delegates, anxious to gain Canada, supported their contentions. One member brought to memory an old resolution that the thirteen states were indissolubly united, and argued from this that Congress must maintain the right of the states to all their possessions and in no case could it allow any diminution of territory.[3] He demanded that it declare in precise fashion the exact limits of the various states and draw up a mutual guarantee to maintain them. Another delegate, in his anger, proposed that, in case the Spanish court did not admit the American claims, Jay should be ordered to break off negotiations and quit the country.[3] Wiser counsels prevailed and neither of the propositions passed. Congress did not wish to lose the aid of Spain by displeasing her but it put faith in Jay's suggestion that if it remained firm she would "finally be content with equitable regulations."[4]

1. Marbois to Vergennes, Sept. 30, 1780. Etats-Unis,XIII,85, no. 211.

2. Luzerne to Vergennes, Sept. 8, 1780. Etats-Unis, XIII, 78, no. 176.

3. Ibid. Luzerne states that there were motives but they are not given in any of the published journals of Congress.

4. Wharton, Diplomatic Correspondence, III, 725.

The decision in regard to new instructions to Jay hung fire until the beginning of October. Every day was expected to bring a letter giving fuller and more definite explanation of Spain's proposed boundary. Congress itself appeared to the French embassy, hopelessly divided on the question. Some wished to follow Jay's advice to remain firm, others insisted that the states should make reasonable sacrifices for the common good. So opposed were opinions that many would not discuss them at all for fear of violent and bitter debates.[1]

Jay had asked for definite instructions, and at last Jennifer insisted that they be given him. "Decency, the regard due to Spain, and the interests of the states," he said, "demand that we should consider this affair without delay."[2] He then moved that Jay be instructed to promise Spain satisfaction on the points in dispute,[1] and defended his proposition in a lengthy speech, describing the failures of the last campaign and the necessity of help from Spain if independence were to be secured.[3] Many speeches were made in answer to his argument and the whole question of the boundaries and the navigation of the Mississippi was again gone over. Jennifer's opponents discoursed on the sacred sanction of the charters, and declared the necessity of conserving the rights of the states if unity and prosperity were to be attained. They spoke of the generosity and fairness of the king of France in contrast to the ambition of Spain and her evident intention to take advantage of their distresses. One speaker exclaimed that "if Spain had the right to make the conquest of all that belonged to the king of Great Britain, His Catholic Majesty, by virtue of this principle would form claims on Georgia and South Carolina

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1. Barbe de Marbois to Vergennes, Oct. 10, 1780. Etats-Unis, XIV, 88, no. 14. The published journals of Congress do not give this motion.

2. Marbois to Vergennes, Oct. 10, 1780. Etats-Unis, XIV, 88, no. 14.

3. The whole debate is described in Marbois to Vergennes, Oct. 10. Etats-Unis, XIV, 88, no. 14.

which were then in the hands of the British." Others asserted that if they abandoned their fellow citizens, Spanish rule would prove so oppressive that revolution would soon break out. Especial emphasis was also placed on the duty of Congress to protect the interests of the states that were then invaded and it was heralded about that if the southern delegates assented to the cessions demanded "they would answer for it with their heads."[1] The arguments of Jennifer were feebly supported by the other members and the motion was finally lost.

On October 4 Congress unanimously[2] passed resolutions to adhere to its former instructions and two days later appointed a committee consisting of Madison, Sullivan and Duane to draft a letter to Jay.[3] Of this committee Marbois judged Madison to be the most moderate but he was bound by instructions and could not recede from the pretensions of his state.[4] He was willing, however, to talk over the question with the French envoy, who attempted in every way to get him to tone down the letter to Jay. Madison was conciliatory in his attitude towards France but he remained firm on the policy approved in Congress.[3]

After the resolutions of October 4 there appears to have been only one advocate of concession in Congress, Daniel of St. Thomas. Jenifer had for nearly two years been a most earnest supporter of the Spanish alliance and had throughout shown entire willingness to grant any sacrifice to obtain it. Before he had come to represent his state at Philadelphia he had, as president of the senate of Maryland, attracted the notice of Gerard and the two had become firm friends.[5]

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1. Marbois to Vergennes, Oct. 10. Etats-Unis, XIV, 88, no. 14.

2. Secret Journals, II, 325,- Marbois says somewhat ambiguously that it passed by a plurality of six votes. Etats-Unis, XIV, 88, no. 14.

3. Marbois to Montmorin, Oct. 17. Espagne, 601, 10, no. 63.

4. Marbois to Vergennes, Oct. 21. Etats-Unis, XIV, 92, no. 29. Marbois to Montmorin, Oct. 21. Espagne, 601, 11, no. 71.

5. Journals of the Continental Congress (Hunt ed.), XII, 1141.

Upon entering Congress in November, 1778, he at once identified himself with the French party and soon became its most active and radical member. When the designs of Spain to get control of the west, became noised about, and it became apparent that they received the support of the French minister, many of the old adherents of Gerard, men like Jay and Gouverneur Morris, determined upon an independent course. No so with Jennifer. He became an ardent enthusiast for any concession that would help to gain Spanish assistance or would please the king of France. His views do not appear to have been regarded as unpatriotic by his constituents at home or his colleagues in Congress. He became the center of opposition to the combination of Samuel Adams and the Lees to push New England interests in Canada and Virginian ambitions in the Mississippi valley. He was the first representative of the small states party and drew to his side all factions jealous of the dominance of the "Junto".

Maryland had no interest in a colonial policy and dreaded the dominance of her southern neighbor. The navigation of the Mississippi and the control of its valley meant no increase in her resources but only an added expense to conquer them. Delaware, Pennsylvania, New York and New Jersey were likewise circumscribed in their limits and never displayed much enthusiasm for acquisitions to the territory of their sister states. At the behest of Gerard, Jennifer had led the fight against the demands of Congress for the right to navigate the Mississippi as expressed in Jay's first instructions. In the winter of 1779-80 when Luzerne and Miralles were urging acquiescence in Spain's pretensions to the ownership of Eastern Louisiana, Jennifer had been their spokesman and had continued the advocate of Spain during the second struggle over the policy of Congress towards the west.

Not at all daunted by his defeat in the resolutions of Octo-

ber 4, Jennifer planned with Marbois[1] to renew the fight when the committee should report its draft of the letter to Jay.[2] They sought to influence the members of Congress both by private conferences and by arguments delivered before the whole assembly. They were still handicapped, however, by their inability to speak authoritatively on the position of Spain. The secretary of Miralles had been left as charge de affaires in Philadelphia and he had only a vague notion of the desires of his court.[3] He was frightened, however, at the stand of Congress and begged Marbois to exert his influence in behalf of more moderate measures. With different members of Congress different arguments were employed. To the more radical there was pointed out the need of an alliance with Spain and the danger of displeasing her if the claims of Congress were based on pretensions of right. To them it was urged that the United States should throw themselves on the magnanimity and generosity of the Catholic king.[3] To those who were very friendly to the French king and yet suspicious of Spanish ambitions, Marbois urged concession because it would please His Majesty, and this argument, he thought, had a powerful effect. Throughout the whole war there were frequent expressions of gratitude for French aid, and on these the French representatives depended, though with little success, for substantial acts of gratitude. In this case, however, Marbois received more than ordinary encouragement and felt confident of success. Samuel Huntington himself, the president of Congress and a New Englander, expressed alarm at the prospect of incurring the enmity of Spain and promised to urge moderation in the new instructions to Jay.[3]

At the solicitation of Marbois and with his help Jenifer un-

1. Luzerne had left Philadelphia on his vacation.

2. Marbois to Vergennes, Oct. 10. Etats-Unis, XIV, 88, no. 14.

3. Marbois to Vergennes, Oct. 17, 1780. Etats-Unis, XIV, 91, no. 23. Marbois to Montmorin, Oct. 17, 1780. Espagne, 601, 10, no. 63.

dertook to prepare a memoir which would set forth the pretensions of Spain in the most favorable light and answer all the arguments of the opposition.[1] The result of his labors is the clearest and most convincing exposition of Spain's position that appeared during the Revolution.[2] He goes over all the old questions of the validity of the charters, the treaty of 1763, the necessity of a well defined frontier, such as the Mississippi, and all the legal and diplomatic questions involved. In this document the Maryland delegate argued that those interested in the question ought to have no voice in the decision, but no states would consent to remain defenseless while its claims were set aside. The most powerful point of his argument, however, was for concessions to win the alliance of Spain.[3]

His legal analysis, keen though it was, could have little effect on a body of revolutionists who held it their duty to obey the wishes of their constituents. Alliance with Spain, however, had become a vital question. Gates had been ignominiously defeated in South Carolina[4] and the interior of the whole region as well as the cities along the coast were in the possession of the British.[5] The patriot party in the south was broken up and such of its leaders as were alive and free had fled to the north. It was the time of greatest discouragement for the American cause. The American army was unpaid and unprovided for and the French king had refused to grant another subsidy or to send more troops, and the French navy had for a long time ren-

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1. Marbois to Vergennes, Oct. 17. Etats-Unis, XIV, 91, no. 23. Marbois to Montmorin, Oct. 17. Espagne, 601, 10, no. 63.

2. The title of this memoir was "Observations on the points contested in the present negotiations between Spain and the United States." Copies were enclosed to Vergennes and Montmorin with the despatches of Oct. 17.

3. Etats-Unis, XIV, 91, no. 25.

4. "Observations, etc." with despatch of Oct. 17. Etats-Unis, XIV, 91, no. 25.

5. Ibid. Van Tyne, American Revolution, 301.

dered no service.[1] In the midst of this general distress news of Arnold's treason added to the all pervading spirit of gloom.[2]

It was a fitting time to urge any concession to the help of Spain and Jennifer made the most of his opportunity. In contrast to the reverses of the Continental army, Spanish troops were victorious on the Mississippi and it was believed would soon overrun the whole territory in dispute. Why not then, he argued, make a virtue of necessity, and in return for the alliance of Spain grant that which we can never hope to conquer?[2] With the help of Spain he held that success was assured; without it failure was inevitable. Under the existing conditions he believed that the war carried on by Spain was more of harm than good to the American cause, for Spanish demands were a drain on the resources provided by France. With the Spanish troops to attack from the south and the Americans from the north, he argued the British would be between two fires and would soon be driven out of the country.[3]

How are we to secure this needed assistance? he asked. There was only one way possible and that was to grant to the Catholic king Eastern Louisiana and the exclusive navigation of the Mississippi. In this opinion he was backed up by the powerful influence of the French embassy and he felt that Congress must agree to make the concession.[4]

The opposition to surrendering American interests in the west, strangely enough was led by New England, while the southern states were rather inclined to give up their claims. The eastern del-

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1. Marbois to Vergennes. Etats-Unis, XIV, 91, no. 23.

2. Van Tyne, American Revolution, 306.

3. "Observations on the points contested...." with despatch of Oct.17. Etats-Unis, XIV, 91, no. 26.

4. Marbois to Vergennes, Oct. 17, 1780. Etats-Unis, XIV, 91, no. 26. Marbois to Montmorin, Oct. 17, 1780. Espagne, 601, 10, no. 63.

egates argued that since Jay was on the ground his opinion should be of force and it was for remaining firm. Marbois, however, thought there were other reasons for their stand. The eastern states had never been amenable to French influence and had been the hotbed of the antigallican party. Their attitude had often before been attributed to hostility to the French alliance and Marbois thought that this hostility was more bitter in its opposition to Spain. In these states the British power was considered broken and he believed that their leaders wished to continue the war in order to conquer Canada and Nova Scotia.[1] Still another reason he suggested, that they feared if the ultimatum on the western boundaries was set aside, the southern states would desert them on the issue of the northern limits.

The attitude of the middle states was more moderate. New York held strongly for the former instructions on the western boundary but was willing to surrender the navigation of the Mississippi. Marbois believed that she hoped if the right to use this river were prohibited, her citizens could then control the western trade by way of the lakes and the Hudson. New Jersey, Pennsylvania, Delaware and Maryland appeared, for the most part, indifferent to the west and strongly anxious for the favor of the king of France and the alliance with Spain. Marbois thought that when the question came up for final decision they would all vote in favor of his projects.[1] Virginia led by Madison was inflexibly opposed to any concession. The delegates from the three southern states expressed to Marbois their opinion that Spain should be conciliated, but declared they must not vote to make any sacrifices of the rights of their states.[1]

On October 17 the committee submitted its draft of a letter to Jay explaining the "reasons and principles" on which the resolu-

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1. Marbois to Vergennes, Oct. 17, 1780. Etats-Unis, XIV, 91, no. 26. Marbois to Montmorin, Oct. 17, 1780. Espagne, 601, 10, no. 63.

tions of the 4th were founded.[1] This letter was prepared by Madison[2] and is in his handwriting.[3] It presents a masterly defense of the principles agreed upon two weeks before and answers in detail the memoir of Jennifer with a breadth of view never attained by the member from Maryland. It states simply and concisely the position of Congress, then passes to a discussion of the questions involved. In his contention for the Mississippi as the western boundary Madison ignores the obsolete delimitations of the charters and bases his argument on the cession by the treaty of 1763. "It is sufficient that by the definition of the treaty of Paris, of 1763, article seventh, all the territory now claimed by the United States was expressly and irrevocably ceded to the king of Great Britain, and that the United States are, in consequence of the revolution in their government, entitled to the benefits of that cession."[4] The sovereignty of this territory, he contended, was vested in the king of Great Britain in virtue of his position as king of the people of America. Consequently when this sovereignty over the thirteen states was overthrown, it returned to the people.[4] "From these principles", he asserted, "it results that all the territory lying within the limits of the states, as fixed by the sovereign himself, was held by him, for their particular benefits, and must equally with his other rights, and claims in quality of their sovereign, be considered as having devolved on them, in consequence of their resumption of the sovereignty to themselves." In answer to the Spanish claim of right of conquest Madison replied that these conquests did not extend further north than Fort Natchez while the remainder of the territory had been conquered and was held by American

1. Journals of the Continental Congress(Hunt ed.), XVIII, 935. Secret Journals, II, 326.
2. "Mr. Madison charged by his two colleagues to show in a memoir the state of the question of the navigation of the Mississippi and the possession of the lands situated on the left of that river has communicated to me this writing...." Marbois to Vergennes, Oct. 21, 1780,- Etats-Unis, XIV,92,no.29; to Montmorin, Espagne, 601, 11, no. 71.
3. Journals of the Continental Congress(Hunt ed.), XVIII, 947.
4. Ibid, 936.

arms. He furthermore insisted that the United States, as an independent nation, could not permit another power to conquer territory contained within its limits.[1] He defended the rights of the United States to this territory on the grounds of a national boundary and its settlement by American citizens. The right to navigate the Mississippi river Madison based on arguments the same as those advanced for the possession of the western territories, and the right of passage through the Spanish possessions he supported by appeal to the law of nations.[2] The document as a whole shows much learning and a thorough understanding of the principles of international law. It is clear in exposition and expresses the most subtle ideas in a simple and concise manner. In spite of the fact that Marbois considered the pretensions of the United States as set forth in this document as too ambitious,[3] the letter was accepted by Congress, with the belief that it would convince Spain of the justice of the American position.[4]

According to Marbois, however, Jay was left much discretion as to insistence on the resolutions of Congress. He was not to present them as an ultimatum, and was authorized to retract as circumstances and prudence suggested.[4]

Although the French representatives did not approve the stand of Congress they recognized a spirit of moderation that promised a reasonable settlement. If Spain acceded to the conditions laid down by Congress, Marbois wrote that her action would cause general satisfaction in America. He was not, however, sanguine of such a conces-

1. Journals of the Continental Congress (Hunt ed.), XVIII, 938.

2. Ibid, 945.

3. Marbois to Vergennes, Oct. 21. Etats-Unis, XIV, 92, no. 29.

4. "The president of Congress has said that he believes an impartial power will find the new instructions satisfactory for the court of Madrid." Marbois to Vergennes, Oct. 21. Etats-Unis, XIV, 92, no. 29

sion, and sought to prepare Congress for harder terms. He was handicapped in his efforts by ignorance of the full extent of Florida Blanca's demands[1] and felt constrained to inform Congress of his lack of definite knowledge.

The decision of Congress in these instructions to Jay marks the end of the personal diplomacy of the French ministers. Upon the gratitude of Congress and personal council to individual members of Congress Gerard and Luzerne had built up a powerful machine in the interests of Spanish ambition. One by one the members of this organization had fallen away, and after the debate of October, several months elapse before Jenifer's name appears in the votes of Congress.[2] With his departure the last partisan of the old French party disappears and the diplomacy at Philadelphia begins to assume the character of international relations.

This effort of Luzerne and Marbois also marks their last attempt at active intervention in behalf of Spain. Gardoqui, the successor of Miralles, had arrived and he neither gave information to the French representatives nor sought their confidence. Henceforth there is no intimation that French and Spaniard are hand in glove and Gardoqui is left in independence to pursue his aims. Another reason for this withdrawal from Spanish affairs may be found in the instructions of Vergennes. He had previously declared his ignorance of American rights in the west and he feared incurring the distrust of the United States.[3] In consequence he directed his representative to cease his

1. He believed, however, that Spain "had demanded at this moment of Congress that part of Louisiana which in the atlas of Damible is comprised between the Mississippi on the west, the Floridas on the south, the river Athbamnus or Appalachicola on the east, and a line drawn from the sources of these rivers to the mouth of the Ohio in the Mississippi." Marbois to Vergennes, Oct. 21. Etats-Unis, XIV, 92, no. 29, p. 112.

2. He is not recorded as voting until April, 1781.

3. See ante, p.

interference and to urge nothing against the will of Congress.[1]

Thus by the close of 1780 the United States had received recognition in spirit as previously in fact and was no longer a mere protege of the French monarchy. It was acknowledged that Congress could judge of its own rights and interests and was not to be dominated by notions of sentiment. Spain must seek her ends through the channels of ordinary diplomacy and the United States were henceforth permitted to work out their own destiny.

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1. See ante, p.

CHAPTER IV.

THE CLOSE OF THE WAR.

Congress proceeded to the exercise of its new found freedom with moderation and discrimination. Marbois had expressed the belief that the shifting membership of this body would sooner or later cause a change in its policy[1] and within a few months his opinion was apparently justified. While Congress had unanimously agreed in October to the resolutions on the boundaries, these, in no sense, expressed the ideas of all the members and many of them assured Marbois that they would be satisfied with less extended limits, but that political conditions made it necessary to present a united front.[2]

There were other conditions however that pointed to the necessity of concession. Cornwallis now held Georgia and South Carolina and had advanced northward far enough to proclaim North Carolina a conquered province,[3] and it appeared that without more effective aid these three states were lost to the union. In the north Washington was inactive, and no additional help was then expected from the French. Still another danger menaced the Americans; the danger that Spain would make a separate peace with Great Britain, and early in 1781 came a letter from Jay which aroused greater doubts of Spanish designs. Jay had learned of Cumberland's mission and of Spain's disavowal of any purpose to treat independently,[4] but Cumberland still remained. "If they have rejected all overtures of Britain why is Mr. Cumberland still here?" asked Jay,[5] and his suspicions found an immediate echo in

1. Marbois to Vergennes, Oct. 21, 1780. Etats-Unis, XIV, 92, no. 39.
2. Marbois to Vergennes, Oct. 21, 1780. Ibid, 92.
3. Van Tyne, American Revolution, 324.
4. See ante, p.
5. Jay to Congress, Nov. 6, 1780. Sharton, Dip. Cor., IV, 148.

Congress.

The leaders of Congress had abandoned their claim to any territory by charter right,[1] and now realized that their claims, in order to be effective, must be maintained on other grounds. They understood at last that when they came to treat for peace the enemy would surrender territory in their possession only for adequate compensation. This truth had been urged upon by Vergennes and his ministers who had insisted that their first aim should be to expel the enemy from their borders,[2] but nothing had been accomplished. Now with the British in possession of the southern states, and the Spaniards active along the Mississippi, Congress resolved to retrieve itself and proposed two plans of action: an effective military campaign, and renewed efforts to obtain help from Spain. Washington was entrusted with the military plans and prepared for energetic measures. Once more he turned his eyes towards Canada and succeeded in convincing the reluctant Luzerne of the advisability of its conquest.[3] Luzerne expressed the desire of his court to free the French in Canada as it had done the Anglo-Saxons in the united colonies, and its eagerness to attempt any measure for the humiliation of England,[3] and he also wrote to his master that he thought the invasion would be "practical and of great utility".[4] Vergennes lent a favorable ear but urged that the British should first be expelled from the territories of the United States. After this should be accomplished he would be willing to support the undertaking, for he regarded it as necessary that at least Halifax and Penobscot "should belong either to us or the Americans".[5] The project

1. See ante, p.

2. See ante, p.

3. Luzerne to Vergennes, Nov. 7, 1780. Etats-Unis, XIV, 95, no. 44.

4. Luzerne to Vergennes, April 29, 1781. Etats-Unis, XVI, 127, no. 60.

5. Vergennes to Luzerne, Oct. 20, 1780. Etats-Unis, XIV, 9, no. 72. Dec. 25, 1780. Ibid, no. 75.

was continually discussed in Congress[1] but military events forbade its undertaking. The advance of Cornwallis to the north threatened the central states and gave an opportunity to capture the British general too good to lose and thus ended the last attempt against Canada.

In the Mississippi valley American power was equally precarious although in the regions of Kentucky and Tennessee settlers from the states had occupied the land and it seemed that possession here was assured. The expedition of Clark had given claim to a large part of the territory north of the Ohio but the British still held posts on the lake shore, such as Niagara, Detroit, and Macinac, and these commanded an extensive region. To reduce these posts Washington felt was necessary, but he did not have the military strength necessary, but he offered to aid Virginia in any attempt she might make against them.[2] The Spaniards in this region had become an object of fear. Their designs on Eastern Louisiana were well known and their expeditions along the Mississippi were not of a character to reassure the Americans.[3] Galvez had early captured the British posts on the lower Mississippi without protest, but when in 1781 the Spanish commander at St. Louis sent an expedition across the Illinois country which captured St. Joseph, there was a cry of alarm among patriotic Americans.[4]

1. This measure was chiefly fostered by the New England delegates who insisted that their states would never be secure as long as Great Britain held Canada. Samuel Adams was most urgent for this,- Luzerne to Vergennes, April 20, 1781. Etats-Unis, XVI, 177, no. 62. The southern delegates in order to avoid any division in Congress supported New England but only to the limits fixed in 1779,- Luzerne to Vergennes, May 15, 1781. Etats-Unis, XVI, 139, no. 75.

2. Washington to Jefferson, Dec. 25, 1780. Writings(Ford ed.), IX, 31.

3. Geo. Rogers Clark to John Todd, March, 1780. "I am not clear but that the Spaniards would fondly suffer their settlements in the Illinois to fall with ours for the sake of having the opportunity of retaking both." John Todd Papers in Chicago Historical Society Collections, IV, p. 75f.

4. E. G. Mason, "March of the Spaniards across Illinois," Magazine of American History, XV, 407. He regards this expedition as an attempted conquest of the Northwest.

"I see by the newspapers that the Spaniards, having taken a little post called St. Joseph, pretend to have made a conquest of the Il-

There is no evidence that Spain had any designs on territory north of the Ohio, but her intrigues to obtain that south of this river convinced many that she was trying to get possession of the whole Mississippi valley.

In harmony with Washington's idea, and possibly on his suggestion, two expeditions were planned against the Northwest,[1] one was to be composed of the French "habitants" along the Mississippi under the leadership of La Balme,[2] the other was to be made up of troops from Virginia and Kentucky, commanded by Colonel Clark.[3] La Balme was the first to start. Early in 1778 he had gone west with a commission from Congress,[4] and began stirring up the Indians and French against

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linois country. In what light does this proceeding appear to Congress? While they decline our proffered friendship are they to be suffered to encroach on our bounds and shut us up within the Appalachian mountains? I begin to fear they have some such project." Franklin to Livingston, April 18, 1782. Writings (Smyth ed.), VIII, 425.

"The news of the capture by the Spaniards of Fort Joseph on the river of the same name has come to Congress. This establishment.... seems to be of so little use to Spain and is so difficult to guard that we can not conceive by what motive she has made the conquest. It has caused the greatest surprise to the Americans and a delegate of New York told me that it was extraordinary that this power should make conquests in the very center of the state." Luzerne to Vergennes, Aug. 9, 1781. Etats-Unis, XVII, 201, no. 8, p. 84.

"The Madrid Gazette of 15th March contained a paragraph of which you ought not be ignorant." Then follows description of expedition to St. Joseph. "The destruction of the magazine of provisions and goods which the English had there....was not the only advantage resulting from the success of this expedition, for thereby it became impossible for the English to execute their plan of attacking the fort of St. Luis of the Illinois; and it also served to intimidate these savage nations and oblige them to promise to remain neuter, which they do at present." Jay to Congress, April 28, 1782. Wharton, Dip. Cor.,V, 264. Herein lies sufficient explanation for the raid.

1."It appears to me that an expedition against the forts of Niagara and Detroit has been secretly resolved." Luzerne to Vergennes, May 12, 1781. Etats-Unis, XVI, 179, no. 75.

2. La Balme was a French officer sent over by Deane in 1777. Ante,p.

3. Luzerne to Vergennes, May 19, 1781. Etats-Unis, XVI, 179, no. 75.

4. "Colonel de la Balme, who came from Congress, provided with a commission of inspector general of all the cavalry in America, and with a letter of recommendation, dated June 25, 1780, addressed to the suppliants by Mr. Fowler, who was formerly our commandant...." Petition to the governor of Virginia by inhabitants of Kaskaskia, May 4, 1781. Kaskaskia Records, 377.

against the British.[1] His activities aroused among the Americans suspicions that he was in the employ of France,[2] but in spite of their opposition he proceeded westward to Kaskaskia. There he found the "habitants" full of hatred towards the "Virginians" who, they claimed, had despoiled and were oppressing them.[3] He skillfully appealed to their patriotism as Frenchmen and promised them redress from Congress whom he would inform of their plight.[4] Through his efforts a small force of French settlers was raised which started towards Detroit[5] but before it reached its destination the little band was ambushed and La Balme and most of his force was slain.[6]

1. La Balme to Luzerne, June 27, 1780. Kaskaskia Records, 167.

2. Bentley to Clark, July 30, 1780. Kaskaskia Records, 169.

3. Luzerne to Vergennes, May 12, 1781. Etats-Unis, XVI, 139, no. 75.

4. La Balme to the French settlers on the Mississippi, Sept. 17, 1780. Kaskaskia Records, 181. In accordance with his promise La Balme addressed a memorial to Luzerne asking him to intercede with Congress for them as ancient subjects of France. Luzerne sympathized with their condition, but since they were now citizens of the United States he did not feel at liberty to make any formal demands in their behalf and contented himself with speaking privately to various members of Congress.

5. "A colony of French established on the banks of the Mississippi in the county of Illinois, at the post of Kaskaskia, has thought recently that it should undertake an enterprise against the fort of Detroit and under the conduct of Mr. La Balme, went up the Wabash...." Luzerne to Vergennes, May 12, 1781. Etats-Unis, XVI, 139, no. 75.

6. There has been some suspicion that La Balme's expedition was a scheme of France to get possession of the Northwest, (Turner, Am. Hist. Rev., X, 255), but there appears no direct evidence for such a theory. Against this idea may be placed the whole policy of Vergennes in opposition to conquests. Direct evidence against this is Luzerne's letter to Vergennes in which he reports the expedition merely as news, speaking of his refusal to interfere in behalf of the French "habitants", and describes the Kaskaskians who "recognize the supreme authority of Congress", and in general approves the American project of attacking the Northwest. Luzerne to Vergennes, March 12, 1781. Etats-Unis, XVI, 139, no. 75.

In the east Clark was slow in raising his troops and before he could start events were hurrying the war to a close, and the expedition never set out.

Luzerne had merely agreed to the invasion of Canada, but the expedition against the Northwest met his earnest approval. "If it succeeds", he wrote, "it assures the frontier of the thirteen states to the north. It will make them (the Americans) masters of two important posts on Lakes Michigan, Huron, Erie, and Ontario, which are in the compass of the limits which they have fixed, and this possession would give them the means to negotiate on a footing much more advantageous with Great Britain."[1] The failure to conquer these posts resulted as Luzerne had foreseen, and with the British in possession of them they long remained a fruitful cause of trouble.

In the south Washington realized the seriousness of affairs, but felt powerless to remedy conditions without the help of Spain.[2] If the Spanish attack on Florida were made more energetic, he believed that the British would have to evacuate at least a part of these regions and both Spain and the United States would reap the benefit.[3] Nothing came of this plan for Spanish cooperation but De Grasse promised to join the American general in August for a campaign along the Chesapeake.[4] Before the French admiral could arrive, Cornwallis, secure in the possession of the southern states, moved into Virginia, and there was fought the final battles, to drive the British from the United States.

The desperate condition of its affairs inclined Congress to offer concessions in return for Spanish aid, and before the end of

1. Luzerne to Vergennes, March 12, 1781. Etats-Unis, XVI, 139, no. 75
2. Washington to Fitzhugh, Nov. 8, 1780. Writings(Ford ed.), IX, 27.
3. Washington to Rochambeau, Dec. 15, 1780. Ibid, 58.
4. Van Tyne, American Revolution, 726.

1780 some of the southern delegates confided to Luzerne their intention to reopen negotiations in regard to the west.[1] They had decided on the sacrifices to make, and a delegate from Georgia was to present the motion,[1] by which, according to Luzerne, Congress was to surrender "one hundred miles of land on the left bank of this river"(Mississippi)[2]. There was the same old alignment of parties; the New England states and Virginia opposing any concession while a majority of the other delegates favored it. It is noteworthy, however, that one delegate from Virginia in voting against the measure declared that he did so in accordance with the instructions of his state but that he regarded it as necessary to win by some means the friendship and protection of Spain.[2] This measure did not go through, but the agitation was continued and on February 15 a compromise resolution was passed which authorized Jay to give up the claim to navigate the Mississippi below the thirty-first parallel, provided the right of navigation above this line was recognized.[3] Nothing was said of any cessions in the Mississippi valley,and it was apparent that Virginia and her New England allies would maintain their position in regard to the western territories.[4] Congress regarded these terms as the most liberal it could offer in its negotiations with Spain and felt little doubt of their acceptance.[5] Luzerne had also come to the belief that Spain would accede to the treaty of alliance if she were given control of the mouth of the Mississippi and had ceased urging extreme measures on Congress.[6]

1. Luzerne to Vergennes, Nov. 26, 1780. Etats-Unis, XIV, 100, no. 89.
2. Luzerne to Vergennes, Dec. 15, 1780. Ibid, 108, no. 120.
3. Wharton, Dip. Cor., IV, 257. Secret Journals, II, 397.
4. Luzerne thought there was a deal by which the northern states were to support Virginia's pretensions to the west, and she in turn was to support their claims to Maine and an extended northern boundary. Luzerne to Montmorin, Dec. 19, 1780. Esp., 601, 12, no. 191.
5. Resolutions of May 28, 1781. Secret Journals, II, 407. A resolution to allow greater concessions was unanimously defeated on Aug. 10. Ibid, 468.
6. Luzerne to Montmorin, May 1, 1781. Esp., 607, 14, no. 61.

These resolutions agreeing to relinquish the navigation of the Mississippi gave new life to the negotiations at Madrid. In January Florida Blanca had demanded this as the sine qua non of entering the alliance, but Jay had not felt at liberty to grant it and Franklin had approved his stand.[1] In all his efforts Jay had been counseled by Montmorin, the French ambassador, but after the ultimatum of Florida Blanca, both agreed that nothing further could be done on the question until the general settlement of peace.[2]

On the 18th of May the resolutions of Congress to relinquish the navigation of the Mississippi below the thirty-first parallel reached Jay, and on the next day he attempted to reopen negotiations with Florida Blanca. He did not however reveal his instructions, though he strongly suspected that the Spanish minister already knew them. He was still opposed to the cession of the right of navigation and resolved to make one more effort to conserve it. After all, he reasoned, Spain will fight as well in our cause without a treaty as with one. On the 23rd of May the American envoy had another interview with the Spanish minister, in which he "gave him to understand that Congress views the speedy accomplishment of this union as very important to the common cause; and therefore if Spain would consent forthwith to come into it, in that case they would gratify his majesty by ceding to him the navigation of the Mississippi below their territories on reasonable terms." Florida Blanca showed no inclination to agree to these conditions and declared the whole question could be better adjusted in a general peace.[3] Jay then went to Montmorin who ad-

1. "I was pleased to find by our last despatches from Congress that the sentiments expressed in mine of Oct. 2 in respect to selling the river, happened to coincide with theirs." Franklin to Jay, Jan. 27, 1781. Writings (Smyth ed.), VIII, 202.

2. Jay to Congress, Oct. 3, 1781,- Wharton, Dip. Cor., IV, 739. Montmorin to Vergennes, March 12, 1781,- Esp., 602, no. 18, p. 360. "Mr. Jay counts very little on the success of all his attempts to treat definitely with Spain before the peace." Montmorin to Vergennes, July 2, 1781. Esp., 604, 44, no. 21.

3. Jay to Congress, Oct. 3, 1781. Wharton, Dip. Cor., IV, 738-747.

vised him to continue his efforts, and that the exclusive navigation of the Mississippi ought to satisfy Spain,[1] and in accordance with this suggestion Jay wrote a note to Florida Blanca explaining the position of his country in the same light as he had previously done in conversation.[2] Florida Blanca delayed giving an answer for some time until on July 13 Jay communicated to him a copy of the instructions approved by Congress on May 28.[3] No answer was returned but Florida Blanca excused himself on account of ill health and the press of business, but in September he again asked Jay to submit in definite terms the demands of Congress in regard to the boundaries and the Mississippi. In reply Jay sent a project of a treaty of alliance which followed exactly the conditions laid down by Congress and which contained a guarantee by Spain of all territories north of the thirty-first parallel and east of the Mississippi.[4] In regard to the article regarding the Mississippi Jay dwelt at length on the sacrifices it would entail on the inhabitants of the west, and prayed that the generosity of the king would give them some relief. He was careful however to declare that this concession was made only in return for Spanish help and would not be considered if postponed till the time of a general peace.[4] This was practically the end of the negotiations with Spain on the question of an alliance and the disputes over the Mississippi, for the Spanish minister never could find time to discuss the question until after Jay had departed from Spain.

1. Montmorin to Vergennes, July 6, 1781. Esp., 604, 44, no. 21.

2. Jay to Congress, Oct. 7, 1781. Wharton, Dip. Cor., IV, 747. A copy was sent to Montmorin.

3. Jay to Congress, Oct. 7, 1781. Wharton, Dip. Cor., IV, 749.

4. Jay to Congress, Oct. 7, 1781. Wharton, Dip. Cor., IV, 766 et seq. A copy of this projected treaty is in the French foreign office. Esp., 604, 66, no. 187. Through some error Van Tyne asserts that "Jay never revealed these instructions", (American Revolution, 312), while both Jay and Montmorin assert the contrary.

In all his efforts Jay had been ably seconded by the French ambassador, although to him Florida Blanca had dwelt much on the perfidy of the Americans, whom he declared to be still devoted to Great Britain. The Spanish minister reiterated his fear of aggressions by the United States, and declared that this was why he would not enter the alliance. He acknowledged that independence was assured but expressed the hope that the American republic would always remain feeble. To make sure of this he recalled the old project of the uti possidetis and planned to leave Great Britain in possession of New York, Charleston and Chesapeake Bay. This he felt would keep the states in subjection.[1] Montmorin answered him decidedly and firmly. He ridiculed the idea that a people who had fought as savagely as they for so many years could find any love for their old foe and he declared the policy of Spain, if carried out, would make of them dependencies of the common enemy and thus render fruitless the war. If Great Britain should keep these important posts of the states, he argued, their independence will not be absolute, and their commerce will be a prey to the caprice of England. He pointed out that if Spain desired them to remain weak, her wish was assured by the very constitution of the confederacy.[1] These arguments had no effect on the Spanish court and it remained obstinately set against the recognition of American independence.

The failure of the negotiations of Jay made impossible an alliance between Spain and the United States. Spain had never desired their independence, and had always hated the Americans as rebels. She had first aided them only out of hostility to Great Britain, but at the same time had tried in every way to cripple them as a nation. It is true she had proffered them assistance after she had entered the war on her own account, but it was only to accomplish her own ends,

1. Montmorin to Vergennes, March 12, 1781. Esp., no. 18, p. 310.

and she demanded immediate recompense. She furnished them means to undertake the conquest of the Floridas, but with the understanding that these provinces should be given to her.[1] After her own military successes she had repudiated her former promises and sought to encroach on the interests of the hated insurrectionists. By her convention with France she had limited her ambitions in America to the conquest of a part of the Floridas,[2] but it was not long until her agent at Philadelphia was seeking to extend her influence over the lower Mississippi valley.[3] When Congress refused this concession, Spain decided to seek it in other ways and henceforth treated the pretensions of the new republic with scornful indifference.

The ambitions of Spain were quickly discerned by the keen minded Franklin, who had suspected them in the negotiations over the Mississippi and had become more strongly convinced when he heard of the Spanish expedition against St. Joseph.[4] During all the tedious discussions at Madrid, Franklin had been the adviser of Jay and it was doubtless his influence that determined the attitude of our envoy at Madrid.[5]

In Congress too the failure of Jay's negotiations increased the feeling of distrust and hostility towards Spain, a feeling which had been growing for some time and had its origin in the schemes of Miralles. The demand of Spain for the exclusive navigation of the Mississippi and her manifest designs on Eastern Louisiana had been a constant cause of friction, and the attack on Fort St. Joseph had produced serious alarm.[4] Added to these was the failure of Spain to furnish assistance in the war and her refusal to grant recognition to the

1. See ante, p.
2. See ante, p.
3. See ante, p.
4. See ante, p.
5. Luzerne to Montmorin, Sept. 1, 1781. Esp., 605, 19, no. 119.

new republic.[1] The measure conceding to Spain the exclusive navigation of the Mississippi had been forced through Congress only under the pressure of circumstances and then with difficulty, and when it became apparent that Spain did not immediately come to terms the opposition increased.[1] When news reached Philadelphia in the spring of 1781 of the inability of Jay to form a treaty, discontent flamed into indignation, and many members of Congress demanded that all negotiations be broken off.[2] They felt that the United States had conceded too much under the stress of adversity, and now that Yorktown had gone into history they wished to deprive Spain of this concession. Many schemes were suggested. One member advanced the idea of offering Russia an establishment in Eastern Louisiana as a check to Spanish aggression and a guarantee of peace in the west.[2] Congress, however, contented itself with a resolution introduced by Madison that "the limitation affixed by him (Jay) to the proposed surrender of the navigation of the Mississippi in particular corresponds with the views of Congress; that they observe not without surprise and concern, that a proposition so liberal in itself, and which removed the only avowed obstacle to a connexion between the United States and his catholick majesty, should not have produced greater effects on the counsels of the latter."[3] This resolution further declared that the concession was offered for an immediate alliance with Spain and that every delay detracted from the reason for the sacrifice. Congress further urged its commissioner that if any treaty were framed it should be on more liberal terms and with this the question of the navigation of the Miss-

1. Luzerne to Montmorin, Sept. 1, 1781. Esp., 605, 19, no. 119.

2. "Those who have confided to me this project, pretend to know with certainty that Russia as a maritime power is ambitious of forming an establishment in America." Luzerne to Vergennes, May 10, 1782. Etats-Unis, XXI, 236, no. 48, p. 156.

3. Secret Journals, III, 99. Resolution of April 30, 1782, Charles Thompson to Montmorin, May 24, 1782. Esp., 607, 23, no. 99.

issippi river passed out of the diplomacy of the American Revolution. The treaty with Spain was not made, and her refusal to treat with consideration the desires of the United States led to enmity between the two countries that, during the negotiations for peace, made them act in constant opposition.

The jealousy and ill will of the Spanish court did not escape the observation of the watchful Vergennes. He had been irritated at her refusal to acknowledge the independence of the United States, and her grasping ambition had angered him. He had hoped for a more liberal policy but the communications of Montmorin had at last convinced him of her hostility to his American allies.[1] He believed that Florida Blanca would never accede to the alliance and that the whole question in dispute between the two countries would have to be thrashed out at the time of the settlement of peace, and even then he feared the selfishness of Spain, although he believed it useless to continue the negotiations in face of her obstinacy.[2] By his advice all efforts to induce Spain to sign the treaty of alliance were discontinued, and for the remainder of the war Vergennes sought to obtain such harmony of action as the conditions would permit.

Vergennes was the more willing to leave the questions between Spain and the United States unsettled until the common dangers were past because he realized that the difference between the two

1. "For a long time I have been convinced that Florida Blanca holds erroneous principles in regard to America and that he is secretly contrary to the independence of the United States, and that he will cause us as much embarrassment as he can when we come to treat this matter directly with Great Britain." Vergennes to Montmorin, April 12, 1781. Esp., 607, 22, no. 25. On March 14, 1782 Vergennes expressed the same sentiment with more assurance. Esp., 606, 11, no. 159.

2. "In this state of things I think it would be in vain to try to convert Florida Blanca, and that we have nothing better to do than to maintain with firmness the system which we have adopted relative to the Americans and to abandon to time and circumstances the conversion of this minister." Vergennes to Montmorin, April 12, 1781. Esp., 607, 22, no. 25.

countries was likely to lead to serious consequences. He had never held any negotiations with the Spanish court on the western territories, but he knew from the reports of his representatives in America the extent of its claims, and shrewdly surmised that these kept Florida Blanca from treating with Congress.[1] His best hope was to keep these conflicting pretensions under cover until the war was finished, and he continued to keep absolute silence on the question, and enjoined his subordinates to do the same.[1]

The closing years of the war pressed no less heavily upon France than upon the United States. The French government had unflinchingly borne the expenses of many campaigns but the strain was beginning to tell. Vergennes was not the first to complain. There were others in the government who felt that France had already gone beyond her strength. In September, 1780 Maurepas informed the king that the finances were in such a state that they could no longer support the war and declared that peace was imperative. Vergennes even then did not retract his position and there was a cabinet crisis in which his leading opponents quit office and he was given full charge. This did not relieve the finances, however, and Vergennes himself was compelled to take measures looking towards peace.

His difficulty was to satisfy the demands of Spain. He had promised her Minorca, Jamaica, and Gibraltar, but only the first had fallen, and the others were strongly held by the enemy.[2] It appeared likely that Spain could not get the objects for which she had entered the war, and now she was clamoring for indemnity in other regions. Florida Blanca believed that Spain could receive the greatest advanta-

1. Vergennes to Luzerne, Aug. 12, 1782. Etats-Unis, XXII, 38, no. 17. "I advised him (Luzerne) to be very reserved on the affairs of Spain and to leave to Congress the care of the treaty by Jay." Vergennes to Montmorin, April 12, 1781. Esp., 607, 22, no. 25.

2. Lecky, American Revolution(Woodburn ed.), 425.

ges in a settlement on the basis of uti possidetis,[1] which would give her Minorca and the Floridas, besides some minor conquests, and which would leave New York and the three southern states in the hands of the British. Under these terms also it is probable that Spain would have insisted on the possession of Eastern Louisiana as she had already claimed its conquest, while the Northwest Territory would have remained with the British empire.

At the same time it was apparent that the British ministry was preparing to meet the terms of Spain, and to accomplish the dismemberment of the American union.[2] To this end the Britons were concentrating their forces in the southern states and pushing their power resolutely northward. This threatened partition of the Confederacy alarmed the Americans and the southern states protested vigorously against making peace on any other terms than the independence of all.[3] Congress at once expressed its determination not to surrender any of the states, although in the gloomy months before Yorktown Luzerne thought that in case of another serious reverse Georgia might be given up.[4]

Military reverses, financial difficulties, and the demands of Spain, all were a source of anxiety to Vergennes. He knew that France could not much longer maintain the struggle, but he felt that the royal honor demanded independence for all the revolted states. Spain's suggestion of uti possidetis he absolutely refused to discuss and he insisted that France would stand by her alliance with the Amer-

1. Doniol, Histoire, IV, 496.

2. Luzerne to Vergennes, March 31, 1781. Etats-Unis, XVI, 132, no. 25. Luzerne to Vergennes, May 4, 1781. Ibid, 178, no. 69.

3. Observations upon the effects of certain late political suggestions by the delegates of Georgia. Enclosed with despatch of Jan. 31, 1781. Etats-Unis, XV, 119, no. 13.

4. Luzerne to Vergennes, March 31, 1781. Etats-Unis, XVI, 132, no. 25.

icans.[1] He realized that back of Spain's demands were motives of jealousy and hatred for the new republic, for whose interest he was bending every effort. At the same time he realized that unless the allied cause should achieve some striking success it would be impossible to force the British to abandon their recent conquests, and he instructed Luzerne to "familiarize" Congress with the idea that some sacrifices might be necessary. It was with the greatest reluctance that Vergennes conceded this idea, and he was still determined to do all in his power to prevent such terms, for he was sensitive on the maintenance of French honor.[2] In his opposition to the demands of Spain Vergennes acted on principles that should not be called selfish. He realized that France would gain more by such a settlement than by any other terms, for French fleets had made many valuable conquests.[3] During the greater part of 1781 French arms were engaged as seldom before in upholding the honor of France and the faith of the king.

In order to protect the states Vergennes resolved on more aggressive military action, and urged upon Spain an attack on East Florida and Jamaica.[4] He strengthened the forces around Gibraltar and

1. "I will not enter into any discussion on what you have said regarding the status quo(uti possidetis)because it would be premature, but I hope that when we come to treat of this matter I shall be in a state to show....that England must not be left in possession of New York." Vergennes to Montmorin, April 12, 1781. Esp., 603, 22, no. 25.

2. "We still do not see whether we must change relative to the Americans, but I can assure you that our firm and invariable intention is to avoid it, as much as is in our power, and the king will change his resolutions only when he sees the impossibility of reaching a reasonable peace without some sacrifice." Vergennes to Luzerne, June 30, 1781. Etats-Unis, XVII, 19, no. 55.

3. "As to the status quo (uti possidetis) it would be personally advantageous to us as well as to Spain because we have made some conquests on the common enemy, but it does not enter into our plan relative to North America. Vergennes to Luzerne, Sept. 7, 1781. Etats-Unis, XVIII, 21, no. 69.

4. Vergennes to Montmorin, Sept. 6, 1781. Esp., 605, 60, no. 12[illegible]. "We hope that Jamaica will be given Spain.... The conquest of St. Augustine....will prove a division in favor of the Americans." Memoirs enclosed with Esp., 605, 66 "which ought to be 67", no. 78.

projected another invasion of Canada.[1] He sent De Grasse back to American waters, and although he did not ask Spain to attack the British in the United States it was because he knew Spanish repugnance to the American cause. This he felt must be the last effort, and if it failed, he must yield to British terms, but if it triumphed the guarantee would be maintained in its entirety. The attack on Jamaica was not made, Gibraltar did not fall, but the victory of Yorktown solved the problem and Vergennes declared that he would insist on the maintenance of the independence of the whole United States.[2]

The question of the boundaries presented to Vergennes a still more serious dilemma. On the north there was no difficulty. He did not feel that the Americans could conquer Canada but he was anxious for them to have Halifax,[3] and planned an expedition to help them take it.[1] The boundaries between the United States and the Spanish possessions were the source of difficulty, and as to the justice of either's pretensions he described himself as entirely ignorant.[4] The only indication that he gave of his sympathies are his bitter protests against Spanish cupidity[5] and his praise of the moderation of Congress.[6]

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1. Montmorin to Vergennes, Oct. 21, 1780. Esp., 605, 70, no. 91.

2. Vergennes to Luzerne, Dec. 4, 1780. Etats-Unis, XIV, 10, no. 111.

3. Vergennes to Luzerne, Oct. 28, 1780. Ibid, 9, no. 38.

4. "According to all appearances the two parties have had great difficulty in agreeing on the division of the territories to the east of the Mississippi and the Ohio." (In reference to Jay's negotiation at Madrid). Vergennes to Luzerne, Aug. 12, 1781. Etats-Unis, XXII, 76, no. 17. "I think I ought not discuss the article concerning the boundaries, because the matter is still not sufficiently clear." Vergennes to Luzerne, Sept. 7, 1781. Etats-Unis, XVIII, 21, no. 69.

5. Vergennes to Montmorin, April 12, 1781. Esp., 607, 22, no. 25.

6. Vergennes to Luzerne, Sept. 17, 1781. Etats-Unis, XVIII, 21, no. 69

Thus it was that the opposing claims of Congress and the Spanish minister entangled Vergennes in a policy that appeared weak and vacillating and had led to the charge of insincerity. Yet there is no evidence that he made a promise he did not try to keep, or that he urged measures he was unwilling to support, and throughout he showed a willingness, unusual in statesmen of any epoch, to sacrifice French gains to the cupidity of his allies. In no sense was he responsible for the differences between Spain and the United States. It is true, he had made great concessions to the court of Charles III, but had promised nothing to which his American proteges ever held any claim. He had guaranteed to the United States their independence, and such conquests as they might make, and this guarantee he was determined to maintain. The question of the west and of the Mississippi river had not come within his purview until forced upon him by outside events, and he did not profess to know the justice of the case. The territory was a wilderness and so could not be in rebellion, and the mother country had a clear title by right of conquest. Under these circumstances he did his best to harmonize differences until the close of the war when the question could be settled on its merits, and it was with this decision that Vergennes entered on the negotiations for peace.

CHAPTER X.

VERGENNES AND THE NEGOTIATIONS FOR PEACE.

The close of the war did not bring any compromise between the claims of Spain and those of the United States nor did it enlighten Vergennes on the rights of either country. He had succeeded in postponing the question until all were ready to treat for peace, but with the assurance of pacification the rancor and obstinacy of the opposing forces became more insistent. Congress, united by the land cessions of the larger states in a common interest,[1] and relieved from the dangers and anxieties of invasion, at once returned to its former pretensions. Spain, foiled in her assaults on Gibraltar, and maddened at her misfortunes in the West Indies, clamored for compensation on the Mississippi.

Congress was the first to act. During the preceding years its pretensions had varied with the ideas of its members, from a claim to most of Canada down to very restricted boundaries. In May when it became apparent that the war would soon be over, on the suggestion of Luzerne it began once more to formulate its claims for the considera-

1. The ambitions of the larger states had not escaped the jealousy of their smaller sisters, who had definite boundaries and no expectations of conquest. Virginia was the target of their criticism for her claims not only to Kentucky but to the territory north of the Ohio, and the small states had complained vigorously against carrying on a war for her aggrandizement. (Luzerne to Vergennes, Jan. 4, 1781. Etats-Unis, XV, 112, no. 3). Tom Paine wrote a pamphlet in his most caustic style assailing the pretensions of this great state.(Copy enclosed with above despatch). So strong did the opposition become that several of the states agreed to abandon a part of their lands to be sold for the benefit of the soldier. New York and Connecticut made their cessions without difficulty, but Virginia had already sold much of her land. Finally, however, pressed on all sides, she ceded all her claims north of the Ohio to the Confederacy. These cessions gave a new strength to the Confederacy in the vast extent of territory the common property of the states and stopped much petty jealousy and hatred.

tion of the negotiators.[1] Vergennes was insistent that the instructions of Congress should be clear and precise[2] so a committee was appointed to confer with Luzerne in regard to the terms of the instructions.[3] This committee decided without difficulty that the treaty of 1778 with France should be the basis of their demands, but as this did not stipulate the boundaries, it also undertook to determine them.[4]

On June 6 it presented its report and the debate on the instructions then begun did not end until the 15th when Congress agreed to instruct the envoys that: "As to the disputed boundaries....we refer you to the instructions formerly given to Mr. Adams, dated 14th August, 1779, and 18th October, 1780 from which you will easily perceive the desires and expectations of Congress; but we think it unsafe to tie you by absolute and peremptory directions.... You are to make the most candid and confidential communications upon all subjects to the ministers of our generous ally, the king of France; to undertake nothing in the negotiations for peace....without their knowledge and concurrence, and ultimately to govern yourselves by their advice and opinion...."[5]

The provisions regarding the boundaries were not agreed to without much debate and discussion, but there seems to have been no opposition to the clause requiring the envoys to act only with the knowledge and concurrence of the king. Throughout the war Congress had explained all intentions, even the most secret, to the French minister. Although he had often frankly opposed these he had never be-

1. Luzerne to Congress, May 26, 1781. Secret Journals, II, 413.
2. Vergennes to Luzerne, July 27, 1781. Etats-Unis, XVII, 20, no. 142
3. Carroll, Jones, Witherspoon, Sullivan, Mathews,- Secret Journals, II, 411.
4. Luzerne to Vergennes, June 8, 1781. Etats-Unis, XVII, 145, no. 17.
5. Secret Journals, II, 446.

tray d the confidence reposed in him. Now it was the wish that this confidence should continue. There was no reason to think that France was unfriendly to the United States, or that she had any aims opposed to their interests. Luzerne had definitely stated only lately that the king insisted on independence for the whole of their territories, and before the final instructions were accepted he had informed them that his master had refused to treat on the basis of uti possidetis.[1] At the same time France had very recently advanced large sums of money and had given promise of further aid.

On the question of the boundaries hung the debates and discussions of a month. Some wished to maintain the previous instructions with most extended boundaries, and to give permission to the negotiators to yield as it became necessary, and at last, if they could not gain suitable terms, to leave the settlement of this question till after the peace.[2] Luzerne, however, in harmony with the wishes of Vergennes,[3] opposed any extreme demands and reminded Congress how absurd it was to demand conquests with the enemy in possession of much of their own territory. The old pretensions of the charters and proclamation of 1763 were pled for but with no result, and finally Luzerne suggested to the committee appointed to confer with him "that some discretion be left to the envoys". Another suggestion was a line of demarkation between the United States and the British possessions, and this Luzerne approved, but the committee appeared set against it and

1. Secret Journals, II, 455.

2. Ibid, 456; Luzerne to Vergennes, June 9, 1781. Etats-Unis, XVII, 145, no. 17.

3. "As to the rules or limits of some states we do not dictate, but we desire that the Americans should not enter into the negotiations with indefensible pretensions, their continent is too vast for their population, and they will be a long time without need of extending themselves. Why then should they prefer to peace, a contingent fate which is not necessary, nor will give them happiness?" Vergennes to Luzerne, June 26, 1781. Etats-Unis, XVI, 75, no. 107.

refused even to present it to Congress.[1]

The reports of Luzerne at this time reveal three interest. opposed to his policy: those of the large states like "Virginia and Massachusetts", who had western claims which they were anxious to maintain; those who feared to have the British too near their frontiers; and those who desired to prolong the war for profit. The first class Luzerne thought he could win over, but those who were eager to continue the war, he would not attempt to persuade. Many of the small states belonged to the second class, which out of hatred of Great Britain wished to keep her as far as possible from their borders, and to these Luzerne devoted his greatest efforts.[1] They believed that those vast unoccupied territories would soon fill up and felt it to the interests of their country to keep the new states in the Confederacy. British neighbors they regarded as dangerous, but Luzerne replied that, no matter how far they extended their boundaries, they would still have neighbors.[1] The resolutions as introduced on June 6 were in accord with the ideas of luzerne, and were practically the same as finally agreed upon, but they underwent many vicissitudes in their passage. They failed first by the votes of Virginia, Connecticut, and Massachusetts, with North Carolina divided and New York not voting.[2] This latter state would also have opposed the motion, for her delegates were "even less tractable than the Virginians on the extent of the boundaries which they imagine fixing for Canada in the west."[3]

There were, however, so many contrary ideas in Congress that an agreement on definite instructions was impossible. Some were insistent on the pretentious ultimatum of 1779, but most of the delegates were willing to accept the Ohio river, while a few were inclined to

1. Luzerne to Vergennes, June 8, 1781. Etats-Unis, XVII, 145, no. 17.
2. Luzerne to Vergennes, June 11, 1781. Ibid, 147, no. 27.
3. Secret Journals, II, 488 et seq.

lake the watershed separating the east from the west.[1] Virginia was most aggressive, and demanded first as an ultimatum the line running from the mouth of the Miami to the headwaters of the Illinois, thence down that river to the Mississippi. When she received no support on this, she framed as her ultimatum the Ohio with the territory north neutral,[2] and declared she would never recede beyond this. Many other delegates supported this proposition but Luzerne was opposed to precise instructions and the motion failed. This was still before Yorktown and so great was the discouragement in Congress that Luzerne believed that it would make any sacrifice for peace, even to accepting the mountains as the western boundary, although he recognized that such conditions would cause universal complaint, and arouse intense hostility to France.[3]

Although the resolutions of Congress were agreeable to Luzerne they did not meet the points at issue and they were not in harmony with the desires of Vergennes who wished definite instructions.[4] As circumstances would have it, there appeared little difficulty in the final negotiations on the north western boundary while the ownership of the territory to the south, which was so complacently assumed by Congress and tacitly agreed to by Luzerne became at the very beginning of the negotiations, the great point at issue. Vergennes had professed ignorance of the rights of Spain and the United States, and the silence of Luzerne on this question is but another example to show the wide rift that now separated the courts of Paris and Madrid.

Although there was much dissatisfaction with the instructions agreed to in June, the efforts to change them met with no success.[5]

1. Luzerne to Vergennes, June 11, 1781, Etats-Unis, XVII, 147, no.27.
2. Secret Journals II, 428 et seq.
3. Luzerne to Vergennes, June 13, 1781. Etats-Unis, XVII, 148, no.33.
4. Vergennes to Luzerne, July 27, 1781. Etats-Unis, XVII, 20, no. 142.

5, The opposition proposed to reopen the whole questions on the re-

Robert Livingstone, the secretary of foreign affairs, however, explained fully to the peace commissioners, the ambitions of the states and urged them to seek in every way to extend the western boundary to the Mississippi.[1] He felt strongly the danger of being surrounded by Great Britain, and it was in accord with this advice that the commissioners began their negotiations.

The discussions between Congress and Luzerne revealed no enxiety, nor even knowledge of Spanish claims. In previous years the Americans had been much disturbed by the pretentions of Spain, but since the death of Miralles, no one had pressed these claims upon them and they had apparently forgotten their existence.

The Spaniards, however, did not forget their former pretensions and their greed for land was no less avaricious than before. Eastern Louisiana was an object of special interest to them, for by holding that province they could then control the whole basin of the Gulf of Mexico without fear of any rival, and the mighty Mississippi would be, beyond dispute, their own. Spain could then make the law for the settlers in the upper Mississippi, by her control of their commerce, or could force immigration into her territories by the grant of special privileges.[2]

In preparation for the negotiations Spain did not formulate any demand for Eastern Louisiana, but asked merely for the conquests promised her by the convention of 1779, with special emphasis on the guarantee of Gibraltar.[3] In addition to these conditions, Aranda pre-

turn of the New York delegates. Luzerne to Vergennes, July 14, 1781. Etats-Unis, XVII, 158, no. 106. On June 29 Virginia proposed that the terms of the ultimatum of 1779 be a sine qua non of a treaty of commerce. Secret Journals, II, 458.

1. Livingstone to Franklin, Jan. 17, 1782. Wharton, Dip. Cor. V.

2. Anonymous - Note on the new advantages which favor the commerce of Louisiana. Transcript Margry - Documents, inedits sous Louisiane Bibliotque Nationale. Nonvelles Acquisitions francuises 9309.

3. Florida Blanca to Aranda, Aug. 25, 1782. Esp., 608, 62, no. 166. "Aranda will doubtless tell you of the pretentions of this court. He could make them in two words for they comprise all that was stipulated in the convention. Esp., 608, 31, no. 15. Florida Blanca issued earlier instructions with the same provisions but I do not have a copy of them.

sented a demand for the Bahama Islands, but this was preemptorily refused by Vergennes who declared he would sustain no claim not promised in the convention.[1] Spain did not press this condition but reiterated her determination to insist on the "conservation of her conquests around the Gulf of Mexico, the expulsion of English from Honduras, and the restitution of Gibraltar and Minorca".[2] Rodney's victory in the West Indies made impossible the conquest of Jamaica, which had been promised her, subject to the chances of war, but in spite of the destruction of the combined fleets beseiging Gibraltar she still insisted on its restitution, which had been guaranteed to her.

To Spain as to the United States, Vergennes had always sought to keep the very letter of his promises and although realizing the weakness of his position he set loyalty to work to obtain the restitution of Gibraltar. The failure of the seige of this stronghold made necessary the offer of some conpensation to Great Britain. Although the Bourbon courts still hoped to maintain possession of both Gibraltar and the Floridas.[3] It is not necessary here to dwell upon the efforts of France to keep her pledge for the recovery of the gate of the Mediterranean. De Grasse had reported that in August Shelburne had offered to take Mahon in exchange for Gibraltar and as a result, Gerard de Rayneval, Vergennes' secretary, was sent to London[4] to treat on the suggestion. A new ministry had come to power and Shelburne now disavowed the interview with De Grasse but began a series of discussions with Rayneval on the conditions of peace.[5] Little was said on the boundaries in America; though Shelburne implied that the west was

1. Vergennes to Montmorin, Sept. 7, 1782. Esp., 608, 68, no. 189.
2. Montmorin to Vergennes, Sept. 20, 1782. Esp., 608, 72, no. 244.
3. Montmorin to Vergennes, Sept. 22, 1782. Esp., 608, 75, no. 251.
4. Vergennes to Montmorin, Sept. 7, 1782. Esp., 608, 68, no. 189.
5. Doniol, V, 104.

not included within the limits of the colonies. Rayneval however refused to commit himself. Shelburne then let it be known that "the Floridas, with a district up to the neighborhood of New Orleans, joined to the vast territories, which lie between the Mississippi and the lakes, and the western frontiers of America, might form a proper equivalent for Gibraltar".[1] This idea did not please Vergennes for he feared the rivalry of Spaniards and English on the Mississippi and it is doubtful if Shelburne meant it seriously.

Although the mission of Rayneval was unsuccessful Vergennes did not cease his efforts to keep his pledge to Spain, and offered to compensate Great Britain out of the possessions of France.[2] News of the signature of the preliminary articles of peace between the British and American negotiations, made Shelburne's demands so high that France felt she must renew the war to keep her honor with Spain,[3] and was preparing for another struggle when the British ministry and the Spanish court unexpectedly came to terms.

Vergennes was equally determined to keep his obligations to the United States, and in spite of his dislike of Adams, his friendship for the new nation was earnest and sincere. In every way he had pressed American interests at Madrid,[4] and had always urged Congress to vigorous and aggressive action. He had guaranteed independence to the thirteen states, and had maintained the war at great hardship in

1. Vergennes to Montmorin, Oct. 6, 1782. Esp., 609, 81, no. 22. This proposition however was submitted to Florida Blanca and urged by Montmorin to form a barrier against the Americans. Florida Blanca objected to allowing the English a part (Pensacola) in the Gulf of Mexico, and also refused to cede any territory around New Orleans. Montmorin to Vergennes, Nov. 23, 1782. Esp., 609, 94, no. 129.

2. Doniol, V, 216.

3. Doniol, Histoire, V, 230.

4. "The future of America is of equal interest to Spain and to us". Vergennes to Montmorin, March 14, 1782. Esp., 606, 11, no. 159.

order to redeem the honor of France. But he had refused to support Spanish claims to the Bahamas, and he declared equally that he would not support any extravagant pretensions on the part of Congress.[1]

On the question of the western boundaries France was at last compelled to declare herself through the zeal of Jay. He had been called by Franklin to Paris where he arrived on June 23, under the impression that he was to continue the negotiations in which he had not succeeded at Madrid.[2] Jay at once began active negotiations with Aranda on the disposition of the Mississippi valley but the difference between them soon became apparent. Vergennes did not presume to interfere, although Rayneval expressed surprise at the extent of Jay's demands.[3] In spite of this, on September 4, Rayneval approached the American envoy with a suggestion of compromise over the territories south of the Ohio and two days later, at the request of Jay,[4] submitted a memorial explaining the principles on which the two countries ought to act. To the territory south of the Ohio, Rayneval's opinion was that neither had any title except that of conquest, for before the

1. "If the American regime were better constituted; if there was more unity and energy in the councils....they would be able to unite their forces in a mass to attack the English and would end by expelling them from the continent." Vergennes to Montmorin, March 14, 1782. Esp., 606, 11, no. 159. "The American delegates have shown themselves attached to the alliance and their fidelity to fulfill its conditions. The king on his side will be no less exact to hold to the conditions (of the treaty), but there is nothing in our treaty that obliges us to prolong the war, to support the nabitious pretensions of the Americans to the fisheries or to extended limits." Vergennes to Luzerne, Nov. 27, 1782. Etats-Unis, XXII, 45, no. 160.

2. Doniol, Histoire. V, 108.

3. "The two parties will have much trouble in agreeing on the partition of the territories to the east of the Mississippi and Ohio. We shall keep silence the mostabsolute, until we are invited to take cognizance of the discussion, and to express our opinion of it." Vergennes to Luzerne, Aug. 12, 1782.

4. "I have the honor to send you, as you desire, my personal ideas of the way to end your discussion of the boundaries with Spain." Rayneval to Jay, Sept. 6, 1782. Doniol, V, 159.

treaty of 1763, he argued, it was owned by France, and after its cession to Great Britain, it was never incorporated with the colonies. Neither country, he concluded, could claim a complete title by right of conquest, and so he suggested a division by which the land south of the Tennessee should be under the suzerainty of Spain, and that to the north under the protection of the United States. On the navigation of the Mississippi Rayneval expressed the hope that some arrangement could be made by which the Americans could be given the right, subject to proper regulation. As to the territory north of the Ohio, he held by the same reasoning that it was a part of Canada, and as such a fit object of negotiation between the Americans and British.[1]

This memorial was not submitted as a demand or outline of action, but merely as a legal opinion on the merits of the case. It was an opinion,[2] fortified by history and law, against which the Americans could urge only their charter rights. It did not assert any superior claim of the Spaniards over the Americans, and insisted that both must base their pretensions on right of conquest. In this memorial Rayneval apportioned to each power the territory which it held or had conquered,[3] and tried to divide the unoccupied lands as equally as as possible.[3]

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1. Gerard de Rayneval, "Idea on the manner of determining and fixing the boundaries between Spain and the United States on one side of the Ohio and towards the Mississippi." Copy sent to Jay Sept. 6. Etats-Unis, XXII, no. 57, p. 200. "Memoire concerning the lands situated to the east of the Mississippi to the frontiers of Canada". In margin, "There is reason to believe that this memorial was prepared during the month of Sept., 1782." Etats-Unis, XXII, no. 92, pp. 309-317.
In the French archives is another memoir entitled, "Typographical observations on the interests of Spain in the present negotiations relative to her possessions in North America." There is no name or date but it was evidently prepared in 1782. It suggests that Canada and Louisiana be restored to France if possible, and if not suggests that Eastern Louisiana go to Spain. There is no evidence that it ever received official sanction. Esp., 609, no. 217, p. 471 et seq.

2. Rayneval to Jay, Sept. 6, 1782. Doniol, V, 159, n.

3. Spain held Fort Natchez and all posts on the west bank of the Mississippi from which she had made incursions into the disputed territo-

Although Vergennes still held to his determination not to interfere in the disputes between his allies,[1] he nevertheless held to the belief that the territory west of the Alleghanies, was legally the property of Great Britain,[2] subject always, however, to the fortunes of war and diplomacy. He had guaranteed the independence of the thirteen colonies and this guarantee he was willing to maintain, but he would not continue a war for conquests beyond those he had bound himself to acquire.[3] He realized that if peace should fail France must continue the war under great difficulties, and to prevent such a disaster, he stood firmly on the letter of his guarantee, both to Spain and the United States.

The refusal of Vergennes to accept fully the American claims was not due to unfriendliness to their pretensions, but to the desire for peace. He realized the importance of the west to the United States,[4] and wished them to take what measures they could to preserve

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rics, and thence based her claim to both banks of the river. She maintained that since Fort Natchez was the only post in the whole country its possession gave her claim to it. We must also consider that the Frenchman had no idea of the extent of the country.

1. "These notions are for you alone. Take care not to show yourself informed because we do not wish interviews, at least for the present, on the discussion between Messrs. Aranda and Jay." Vergennes to Luzerne, Oct. 14, 1782. Etats-Unis, XXII, 40, no. 115.

2. "I do not see by what title the Americans claim the lands which border on Lake Ontario, or those lands belonging to the savages, or those depending on Canada....but I know the extravagance of their pretensions. According to Congress the charters....extend the American domain from the ocean to the South Sea, and such is the system proposed by Mr. Jay, for basis of the negotiations with Spain.... By a confidential note to Mr. Jay, however, he is almost convinced that the boundaries of the United States to the south of the Ohio, are limited to the mountains and following the watersheds, and that which is to the north of this river, namely the lakes, belongs to Canada. The two countries claim territories to which neither has any legal right." Vergennes to Luzerne, Oct. 14, 1782. Etats-Unis, XXII, 40, no. 115.

3. "The king....will be no less exact to hold to the conditions(of the alliance) but there is nothing in our treaties that obliges us to prolong the war to sustain the ambitious pretensions which the United States forms....on the extent of their boundaries. Vergennes to Luzerne, Oct. 14, 1782. Etats-Unis, XXII, 40, no. 115.

4. "We think as the Americans on the importance of the English establishment at Oswego. This station at the same time that it imposes on

their interests there. He was anxious for Spain and the United States to come to a settlement, but he exerted no pressure on either to effect his purpose. When the negotiations between Jay and Aranda ceased he offered no further suggestions for a settlement. With the assurance that France would not be dragged into renewing the war, Vergennes gave free rein to the American envoys with the promise to aid them to the extent of his powers, if they should require it,[1] and when without consulting him they had won far more than he thought possible[2] he nevertheless applauded their dexterity.[3]

Vergennes was not alone in regarding the difficulty of securing all the west, as almost insurmountable. Shelburne had ridiculed the pretensions of Congress,[4] and Virginia, the most aggressive of the states, had insisted on no more than the Ohio as an ultimatum, but Congress would not consent even to this.[5] Even after Yorktown, some of the more aggressive members of Congress admitted that they

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the savages, puts the English in a position to trouble the people of the province of New York. Congress should be able to make these reflections and to take measures accordingly." Vergennes to Luzerne, Oct. 14, 1782. Etats-Unis, XXII, 40, no. 115.

1. "If the American commissioners are exact in their accounts....they do not complain that we seek to influence or to inconvenience them in their negotiations. I receive what they want to tell me, and they know that on occasion, I will render them all the good offices in my power but I do not place myself in the way of knowing more than they are disposed to tell me." Vergennes to Luzerne, Nov. 27, 1782 (in his hand).- Etats-Unis, XXII, 42, no. 160.

2. "In spite of all the cajoleries which the English ministry lavishes on the Americans I do not indulge in the hope that they will show themselves as agreeable either on the boundaries or the fisheries as the Americans hope." Vergennes to Luzerne, Nov. 27, 1782. Ibid.

3. "You will surely applaud....as I do the very extensive advantages which the Americans have been able to receive by the peace." Vergennes to ----, Dec. 10, 1782. Ibid, 45, no. 185. This was written just at the time when Vergennes was offended at the exhibition of distrust and jealousy by Jay and Adams.

4. Rayneval to Vergennes,-Doniol, Histoire, V, 137.

5. Secret Journals, II, 470.

would be willing to leave all the disputed territories in the west to the Indians under the joint protection of Great Britain, France, Spain and the United States,[1] and several states signified their willingness to accept the mountains as the western boundary.[2]

Military conditions also seemed to forbid the pretensions of Congress to extensive limits. The British still held the posts on the Great Lakes and continued to do so for many years. Parts of the south, as well as the city of New York and other important posts, were still in the hands of the enemy. Clearly there were no military grounds on which Congress could claim all the west, and there was nothing to offer in exchange.

His knowledge of the obstacles in the way and his belief that they were insurmountable did not prevent Vergennes from standing in every way ready to further the ends of the Americans as against the British. Furthermore Vergennes did not tender his aid blindly but with full knowledge of the American demands which he was to espouse.[3] He knew from the reports of Luzerne the full ambitions of Congress, and the attitude of Jay and Adams had showed that the commissioners would be no more conciliatory.[4] Despatches of the time were full of American pretensions, and these were the same which he promised to advance to the best of his ability. In spite of the unconcealed distrust of Jay and Adams, and his own dislike of them Vergennes showed

1. Luzerne to Vergennes, Sept. 12, 1782. Etats-Unis, XXII, 271, no. 88

2. Luzerne to Vergennes, Sept. 28, 1782. Ibid, 275, no. 89.

3. "I shall come to their aid in time for I see that they will have more than one difficulty, and those of the greatest to overcome if they persist in their first intentions." Vergennes to Luzerne, Nov. 27, 1782. Etats-Unis, XXII, 43, no. 160.

4. Vergennes had respect for American diplomatic ability. "The Americans are no less practised than the English", he wrote, "in the art of drawing indefinite lines and of making of them a title and a right." Nov. 27, 1782. Ibid.

himself throughout a loyal friend of the best interests of the United States. There is no trace of jealousy or meanness in his attitude and even when he found his counsels spurned and the pledges made to him boldly broken, with only one burst of temper at the personal affront, he expressed the liveliest pleasure at the success of American diplomacy and admiration for its effectiveness.[1]

To Vergennes America owes a great debt of gratitude for the preservation of its independence. In spite of the fact that he entered the war for a selfish purpose, the years of common trials and efforts, the enthusiasm of the French people, and the personality of the great Franklin, infused his cold heart with something like enthusiasm for the nation he had called into existence, and for whose protection he devoted the best efforts of many years. We may give great praise to the foreign heroes who fought and died in defence of American liberties, but among all the friends of the new republic, no one can show a higher title of loyalty, not even the lovable and chivalrous Lafayette, than the careworn and thoughtful statesman, Vergennes.

1. "You will surely applaud as I do the very extensive advantages which the Americans have been able to acquire by the peace." Vergennes to Luzerne, Dec. 19, 1782. Etats-Unis, XXII, 45, no. 182. "You will notice that the English buy peace rather than make it. Their concessions in fact, as well in the matter of boundaries as in that of the fisheries and the loyalists exceed all that I could have thought possible." Vergennes to Rayneval,- McLaughlin, Confederation and Constitution, 70. In order further to show his good will to the Americans he made them a new grant of six million livres. Doniol, Histoire, V, 670.

CHAPTER XI.

PEACE.

Peace, the goal towards which Vergennes had so patiently toiled, came at last, but by negotiations unknown to him, and through principles which he had regarded as exclusively his own. During the early years of the war the French had often expressed astonishment at British stupidity in alienating the colonies,[1] but with the overthrow of the North ministry and the accession to power of Shelburne, first as secretary of state for the colonies, then as prime minister, all this was changed. Shelburne at once inaugurated a new policy, a policy of conciliation towards an independent republic. Instead of humiliating America he bid high for her friendship, and carried off the prize for which Vergennes had already paid so dearly.

With this plan in mind Shelburne had, early in the spring of 1782, sent Rachard Oswald, a Scotch merchant, to Paris to sound Franklin on the conditions which the Americans would ask for peace and to suggest a treaty separate from the one with France. To the idea of a separate treaty Franklin at once objected, but was ready enough to suggest the terms which he regarded as suitable.[2] Oswald talked much of conciliation and with this idea in mind Franklin declared that in order to conciliate, Great Britain should cede Canada to the United States, as an evidence of her good will.[3] This suggestion did not meet any objection from Oswald who asked permission to submit it to Grenneth, and the American envoy consented. A few days later Oswald informed Franklin that he thought the "affairs of Canada would be set-

1. See ante, p.

2. Franklin, Journal, Writings (Smyth ed.), VIII, 467.

3. Ibid, 472.

tled to (your) satisfaction", but asked that it not be pressed until near the end of the treaty.[1]

The negotiations dragged slowly on until midsummer when Franklin became more active and on July 10 outlined to Oswald a definite plan of a treaty, which made as a necessary article "a confinement of the boundaries of Canada to what they were before the last act of Parliament, I think in 1774, if not to a still more contracted state on an ancient footing", and which advised the cession of all Canada.[2] Oswald submitted these conditions to Shelburne, who in the meantime had become prime minister, and had left Townshend to direct negotiations with the Americans. Townshend followed Shelburne's liberal policy and issued instructions to Oswald to promise Franklin the withdrawal of British forces from the states and also a part of the "ungranted lands to be annexed to each province in return for the restoration of the loyalists".[3]

In the meantime negotiations were going on rapidly in Paris, and early in August, Franklin and Vergennes united in demanding a "treaty that no one would break".[4] Shortly after this the American commissioner plead with Oswald to grant a permanent peace on such conditions as not "to force them into the hands of other people". And explained that in order to ensure such a peace the United States must have Canada.[5] From the drift of the negotiations and the avowals of Oswald the experienced American saw that the British ministry was willing to sacrifice much for peace and still more to win the friendship of the United States. Oswald was complaining of the exorbitance of

1. Journal, Writings (Smyth ed.), VIII, 486.

2. Oswald to Shelburne, July 10, 1782. Foreign Office, France, 2a, pp. 42-44.

3. Dated July 25, 1782. Foreign Office, France, 2 a, pp. 87-92.

4. Oswald to Townshend, Aug. 7, 1782. Ibid, 141.

5. Oswald to Townshend, Aug. 13, 1782. Ibid, 152-161.

French demands and appealing to Franklin to check them[1] but that wily statesman pressed his advantage, so strongly that the British agent was compelled to advise the acceptance of his demands.[2]

The British government acted before receiving Oswald's communication and on September 1 acceded to the full extent of Franklin's ultimatum of July 10. By this it agreed to recognize first of all independence. The third article provided for the restriction of the boundaries of Canada to what they were before 1774, the fourth granted the freedom of fishing on the banks of Newfoundland, and another clause added that: "His Majesty will also waive collection of debts before 1775 and also claims of refugees for losses.[3]

Here was granted all that the Americans could hope to obtain and more than was to be ultimately conceded them. It had been the aim of the Shelburne ministry to detach the United States from France and these conditions were well calculated to effect it. The genius of the mighty Franklin had triumphed.

On September 5 Oswald wrote Franklin that he had received definite information as to the views of the British ministry in regard to the terms of the treaty and was then ready to begin formal negotiations.[4] Franklin replied three days later, asking for a copy of Oswald's instructions,[5] and it appeared that the terms would soon be satisfactorily settled.

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1. Oswald to Townshend, Aug. 15, 1782. Foreign Office, France, 2a, 173

2. Oswald strongly urged the cession of that part of Canada added by the act of 1774. "If not granted, he wrote, this will cause much difficulty, especially on the western frontier, and a refusal would occasion a particular grudge, as a deprivation of an extent of valuable territory, the several provinces have always counted upon as thier own He advised also that a right to the fisheries be granted to avoid quarrels with New England. Oswald to Townshend, Aug. 29, 1782. Foreign Office, France, 2a, pp. 234.

4. Oswald to Franklin, Sept. 5. Wharton, Dip. Cor. V, 699.

5. Franklin to Oswald, Sept. 8. Wharton, Dip. Cor. V, 712.
3. Townshend to Oswald, Sept. 1, 1782. Foreign Office,France,2a, 101.

These instructions, however, were never submitted to Franklin. Jay had arrived at Paris some time before and begun an aimless negotiation with Aranda which led to nothing because the two could not agree on the exchange of their commissions.[1] Franklin had been sick since June and was willing to entrust the burden of affairs to his young associate who was only too glad to undertake the more congenial task. Jay was a far different man from Franklin. He was young and comparatively inexperienced in the management of men, and he possessed neither the reputation nor the personality that gave such weight to the words of his aged compatriot. Jay had come to Paris disgusted with the Spaniards, but he soon came to dislike the French more, and he hated the British as a patriotic American should.

The attitude of Jay at once made it impossible to continue the negotiations, for on reading the commission of Oswald he found that it did not recognize the independence of the United States and refused to treat until a new commission was framed with form more to his liking. Franklin protested but in vain. Oswald was compelled to write for a new commission and the negotiations were held up for several weeks, and it was not until September 28 that the two were ready to renew the discussion of terms of peace.[2]

In the meantime Jay had found fresh causes of suspicion against the French court. Vergennes had advised him to continue the negotiations and to allow Oswald to act under his old commission, and this had convinced him that "this court chooses to postpone an acknowledgement of our independence by Britain, to the conclusion of a general peace in order to keep us under their direction." The British had transmitted to him a copy of an intercepted letter from Marbois

1. Jay to Livingston, Sept. 18. Wharton, Dip. Cor., V, 740.
2. Jay to Adams, Sept. 28. Ibid, 778.

which opposed American claims on the fisheries,[1] and the memorial of Rayneval on the terms of settlement between Spain and the United States had angered him. With these feelings any unforeseen move on the part of the French court was sure to cause alarm. Jay at once became suspicious of Rayneval's mission to London, and decided to despatch an agent to Shelburne to counteract any intrigues of the French secretary. Benjamin Vaughn, a friend of America, was selected for this purpose and he was instructed to show the ministry that it was "the obvious interest of Britain, immediately to cut the cords which tied us to France", and to propose a settlement with Great Britain with this understanding as a basis.[2] Vaughn proceeded to London, had several interviews with Shelburne and convinced him that the United States were willing to break away from France.

Oswald's new commission arrived on the 27th and he and Jay at once drew up a proposed treaty on the basis of the instructions of September 1.[3] The first article provided for the boundaries asked by Congress in 1778, and included, besides what was later assigned the United States, the Great Lakes and the territory south of Lake Nepissing.[4] In this treaty as in all subsequent projects was a provision

1. Jay to Livingstone, Sept. 18, 1782. Wharton, Dip. Cor., V, 740. It is doubtful if this letter of Marbois is authentic as the French envoy always wrote in cipher.

2. Jay to Livingstone,- Wharton, Dip. Cor., VI, 29.

3. Jay to Livingstone,- Ibid, 47.

4. "The said states are bounded north by a line drawn from the northwest angle of Nova Scotia, along the highlands which divide those rivers which empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean, to the northernmost head of the Connecticut river, thence down along the middle of that river to the 45th degree of north latitude. ....thence due west to the northermost side of the river St. Lawrence....thence straight to the south end of Lake Nepissing, and thence straight to the source of the Mississippi." On the west the United States were to be bounded by the Mississippi and on the south by the Floridas. Wharton, Dip. Cor., V, 806. Foreign Office, France, 22, 305.

for the free navigation of the Mississippi.

Although Townshend had authorized these terms, he disavowed the treaty. The reason is obvious. He had offered these concessions in order to separate the United States from French influence,[1] but the mission of Vaughn showed him that this end was already accomplished. Before this time the British put forth as the chief aim of their policy, conciliation, and it was with this understanding that Franklin and Oswald had carried on their negotiations and upon it Franklin had based his demands. To Great Britain, however, conciliation did not mean so much friendship to her as enmity to France, and when the Shelburne ministry perceived that the councils of their enemies were divided they withdrew their bids for friendship.

Jay was deeply disappointed at the failure of his efforts. He felt that he must strive against all Europe and even against his fellow negotiator. "I think we have no rational dependence except on God and ourselves", he wrote, "nor can I yet be persuaded that Great Britain has either wisdom, virtue or magnanimity enough to adopt a perfect and liberal system of conciliation."[2] His disappointment was the keener, for the assurances of Oswald had convinced him that there would be no objection to its provisions. To Oswald he showed the greatest indignation and even resorted to threats of breaking up the negotiations.[3] Little did he realize that by his own rashness he had thrown away the fruits of Franklin's diplomacy.

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1. Shelburne wrote to Carleton and Digby, June 7, that independence was offered "with the view of showing America that farther war was only in the interest of France and Spain, and to detach her from France". Colonial Office, 5, Vol. 178, p. 479.

2. Jay to Livingston, Nov. 17. Wharton, Dip. Cor., VI, 49.

3. "Jay replied that in case of refugees nothing could be done and that if Great Britain broke off negotiations on that account, the United States would present claims against her for unnecessary destruction in war." Oswald to Townshend, Nov. 6, 1782. Foreign Office, France, 29, 34[illegible].

However much Jay felt anger at the duplicity of Britain, he gained no love for France.[1] His suspicion and distrust of her policy increased and soon after the arrival of Adams on October 26, the two resolved to keep secret from her all knowledge of their negotiations and forced the aged and enfeebled Franklin to agree.

Henceforth the British conducted their negotiations on a different basis. Hitherto, they had talked of conciliation, and even of a federal union, but now they pushed their own material advantages. Oswald had served well enough when conciliation was the end, and he still remained at Paris where his frankness and sincerety were a valuable asset. To push the claims of empire, however, a different man was necessary and Townshend sent the shrewd and determined Strachey[2] who was to look after the boundary question,[3] and the disposition of the loyalists.

Strachey began his efforts with vigor. No longer were there projects of ceding Canada but there was a demand that the territory north of the Ohio be given Great Britain where she might found a colony for the loyalists.[4] Neither of these conditions had been insisted upon in the previous negotiations and to them Strachey now added a restriction of the right to fish on the banks of Newfoundland. Of the arguments to beat down the new demands of Great Britain we know little but Adams and Jay were determined men, and resolved to agree to no conditions which they regarded as in any sense a surrender. On the

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1. On Oct. 24 Jay had an interview with Rayneval on the terms of peace, in which the latter suggested that the United States was asking too much. This Jay regarded as a further confirmation of the ill will of France. Wharton, Dip. Cor. VI, 47.

2. Of Starchey Adams wrote, "He is artful and insinuating. He pushes and presses every point as far as it can possibly go: he is the most eager, earnest, pointed spirit".

3. Townshend to Oswald, Oct. 27, 1782. Foreign Office, France, 2 a, 728.

4. Franklin to Livingstone, Dec. 5, 1782. Wharton, Dip. Cor. VI, 113.

question of the northern boundaries the Americans offered the choice of two lines.[1] The first provided for a line running from the intersection of the forty-fifth parallel with the Connecticut river due west to the Mississippi. The second provided for the line to run west on the same parallel to the St. Lawrence river, thence through the middle of the Great Lakes to the source of the Mississippi.[2] Both provided that in case Great Britain should keep Florida the southern boundary should run through the mouth of the Yazoo due west to the Appalachicola, and both provided for the free navigation of the Mississippi. Starchey had been borne down by the superior skill and determination but he refused more than to transmit the proposed plans to Townshend for his consideration. Neither of them were in accord with his instructions but the Americans had pronounced this their ultimatum.[3]

The provisions regarding the Floridas was the result of Jay's efforts and grew out of his dislike for Spain and perhaps also a desire to embarrass Vergennes. Jay had arrived at Paris with a feeling of animosity towards Great Britain,[4] but this had changed under the genial frankness of Oswald and the suspicious conduct of his allies into a feeling of friendship.[5] During the early days of September while Oswald was waiting for his new commission he often talked informally to Jay of the Floridas, and expressed a desire that if the British

1. Adams to Livingstone. Wharton, Dip. Cor. V, 856.

2. Colonial Office, 5, 8, Nov. 8, 1782. Starchey's report says the northern boundary to choice one was the same as in the preceeding treaty. Foreign Office, France, 2 a, 363.

3. Starchey to Townshend, Nov. 8, 1782. Colonial Office. 5, 8.

4. Until the middle of August Oswald believed that nothing could be expected of Jay. Oswald to Townshend, Aug. 7. Foreign Office, 2 a, 125.

5. "Jay is more friendly". Oswald to Townshend, Aug. 17. Foreign Office, 2 a, 162.

crown could keep them he should like to have their northern boundary pushed northward.[1] Jay met the suggestion kindly and declared that after the proclamation of 1763 another proclamation had moved the boundary farther north.

With this the matter was allowed to drop but Jay brought it forward again when he took up the negotiations with Oswald and suggested that the British forces in New York be sent on a sudden expedition to recover these provinces.[2] He declared his opposition to leaving in the hands of the Spaniards, authority over the Gulf of Mexico and control over the western trade, and maintained that any agreement regarding this region would not be a violation of the treaty with France.[3] Jay argued that the province was rich in itself and would be of additional advantage to the British in giving them control of both outlets to the Mississippi valley; the gulf and the St. Lawrence, by which they could hold all the trade they had ever possessed.[4] As a further inducement he offered to give the British full right to navigate the Mississippi.[5] As a final appeal Jay urged that the retention of the Floridas would go far to win the friendship of the Americans. Jay became every day more insistent and finally offered to write General Washington to permit the peacable evacuation of New York, and Charleston by the British troops,[6] and Oswald was convinced that he could

1. Oswald to Townshend, Sept. 11. Foreign Office, France, 2 a, 232.

2. Oswald to Townshend, Oct. 2. Foreign Office, France, 2 a, 271.

3. "The employment of these troops (in America) against Spain would not infringe on the American treaty with France, Jay says, for the states are not bound to Spain". Oswald to Townshend, Oct. 2. Foreign Office, France, 2 a, 271. "Jay again insists that for the common good Florida shall not be left in the hands of the Spaniards". Ibid, 280.

4. Oswald to Townshend, Oct. 5. Foreign Office, France, 2 a, 289.

5. Although Great Britain did not keep the Floridas this concession was maintained in the final treaty.

6. Oswald to Townshend, Oct. 7. Foreign Office, France, 2 a, 302.

carry the boundary of West Florida far to the northward.[1]

Townshend did not take kindly to the efforts of Jay. He was suspicious of the whole transaction but believed that capital might be made out of it if France should learn of the offers.[2] Oswald was anxious for the arrangement and plead for it to the very last, that if it would be of no other benefit it would at least please the Americans.[3] Jay was afraid of the effect of his negotiations and when the provision regarding the Florida boundary was inserted he "scored it out", but"admitted it in addition at the bottom as a separate article".[4] Jay himself, was not proud of his tactics, and although he dwelt with pride on the early negotiations with Oswald in which he had no part, he never took occasion to discuss either with his colleagues, or in his letters to Congress the part he had taken in the Florida boundary arrangement.[5]

In the later negotiations Franklin took little part and their success may be attributed to the vigor and determination of Jay and Adams. The man who won for the United States the aid of France, and who had overreached the diplomacy of the British crown now was worn with disease, was pushed out by his younger associates. He found his advice overborne in their councils, and his suggestions disregarded, but in order to preserve outward harmony, he still signed their dispatches and forbore any opposition. Although his shrewd mind must

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1. Oswald to Townshend, Oct. 8. Foreign Office, France, 2 a, 310.

2. Townshend to Oswald, Oct. 26. Foreign Office, France, 2 a, 370.

3. Oswald to Townshend, Dec. 4. Foreign Office, France, 2 a, 489.

4. Oswald to Starchey, Nov. 8. Foreign Office, France, 2 a, 388.

5. Jay to Livingstone, Nov. 17. Wharton, Dip. COr. VI, 11, et seq. Adams thought that the West Florida project came from Oswald. Mr. Oswald made very striking overtures to us: to agree to the evacuation of New York....he told us the army was going against West Florida to reconquer that from the Spaniards. Our answer was that we would agree to no such things". Adams to Livingstone, Nov. 6. Wharton, Dip. Cor. V, 856.

have seen clearly the contempt with which Adams and Jay regarded him[1], he bore the humiliation patiently, and at last with hearty good will made their peace with the irritated Vergennes.[2]

The firmness of Jay and Adams was not due to any knowledge of the conditions of the negotiations of their allies but to their own personal convictions. Circumstances however were favorable to the Americans. Spain was firm in her ultimatum for the restoration of Gibraltar. Shelburne was determined never to surrender it[3] but if he refused also the American treaty the allied powers would renew the war. Under these conditions he chose to detach the United States from the alliance, and acceded to their terms, at the same time refusing to Spain the restoration of Gibraltar. If Spain should wish to renew the war Great Britain was ready.

The negotiations of Adams and Jay made impossible the ultimatum of Spain. Negotiations between Great Britain and the Bourbons had not produced results but in November France had offered to surrender Guadeloupe and Dominica in return for the restitution of Gibraltar. This offer, Vergennes thought, would be accepted but when Shelburne learned of the agreement with the American envoys he declared that he must have more, and suggested St. Lucie in addition to the other cessions. Rayneval, on behalf of Vergennes, refused and the British minister declared for war.[4]

Shelburne was anxious for peace however, and when he saw war again impending he made a last effort for conciliation. He offered to

1. Adams wrote in his journal: "I told him (Franklin) without reserve my opinion of the policy of this court, and of the principles, policy and firmness with which Mr. Jay had conducted the negotiation....and that I was determined to support Mr. Jay to the utmost of my power..."

2. Adams to Livingstone, Nov. 6. Wharton, Dip. Cor., V, 857.

3. Correspondence of Fitzherbert, Oct. 7.- Foreign Office, France, 7, 797. Oct. 17.- Ibid, 798. Oct. 21.- Ibid, 799. Nov. 15.- Ibid, 799.

4. Doniol, Histoire, V, 228-231.

cede Spain the Floridas and Minorca provided she would surrender her pretensions to Gibraltar, and Spain seeing her helplessness agreed to the conditions.[1] Thus renewed war was averted and peace assured. The problem of the west belonged no more to the Revolution, but peace did not solve it. There still remained the question of the navigation of the Mississippi, and there was to arise a series of disputes over the boundaries of the Floridas. In spite of the snubs he received from Jay and Adams, in spite of their disregard of his counsels and their secrecy in forming the treaty, Vergennes never suggested in his negotiations with Great Britain any measure that would interfere with American desires. He had offered to help the Americans in their labors and although this was not accepted, he still refused to allow Spain to push her pretensions against them.[2] If Great Britain had surrendered the right to navigate the Mississippi, guaranteed to her by the treaty of 1763, the United States would have had no recourse. If she had fixed the boundaries of the Floridas in her treaty with Spain, American claims would have been weakened. Spain was anxious to obtain these advantages, Great Britain had no interest in refusing them, and to Vergennes alone must be given the thanks for thwarting Spanish ambitions.[3]

The preliminary articles of peace between the United States and Great Britain were agreed to on November 30, 1782, and between Great Britain and the Bourbon monarchies on January 20,[4] and the ques-

1. Doniol, Histoire, V, 228-271.
2. "I am informed....that this latter(John Adams)has reported in America that we have sought England to contract the limits of the United States....As I have some grounds to believe that there are some adherents of them in America....I think I ought to put you in condition to refute them." Vergennes to Montmorin, Sept. 7, 1783. Etats-Unis, XXV, 52, no. 144.

3. In the records of negotiations in the French archives there is no mention of the Mississippi or the Florida boundaries. Doniol, Histoire, V, 229.

4. Affaires Etrangeres, Espagne, 610, fol. 3, no. 22.

tion of the west passed out of the diplomacy of the American Revolution.

It was recognized at once that the treaty left a fruitful cause of dispute between Spain and the United States over the navigation of the Mississippi and the boundaries of the Floridas. Florida Blanca, however, expressed his willingness to accept the boundaries agreed to by the British and Americans and at once began negotiations concerning the Mississippi.[1] Montmorin and Aranda recommended that New Orleans be made a free port,[2] but this advice was too liberal for the Spanish minister. Vergennes himself expressed similar views although he realized their futility.[3] At the same time he urged upon the Americans moderation in their dealings with Spain[4] and preserved to the last his role of harmonizer.

In America news of the peace was received with much joy although there were many who complained that they were given too restricted boundaries.[5] Spain raised no complaint, and Vergennes was happy that in keeping his faith as an honest man, he had at last wrought the humiliation of England, and glorified the prestige of France.

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1. Montmorin to Vergennes, Feb. 18, 1787. Espagne, 610, 6, no. 67. "The great difficulty (between the United States and Spain) is truly the navigation of the Mississippi." Vergennes to Montmorin, March 1, 1787. Espagne, 610, 8, no. 89.

2. Montmorin to Vergennes, March 1, 1787. Ibid, 6, no. 110.

3. "Spain is not willing to adopt our sentiments on the navigation of the Mississippi because of the fear of contraband." Vergennes to Montmorin, April 1, 1787. Espagne, 610, 9, no. 149.

4. Vergennes to Luzerne, Dec. 20, 1782. Etats-Unis, XXII, 46, no. 118.

5. Luzerne to Vergennes, Feb. 9, 1787. Etats-Unis, XXIII, 702, no. 51.

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Doniol has given the best account of the diplomacy of the American Revolution, for his work is based entirely on the sources. With him, however, the west was subordinated to the great problems which confronted the nation and he did not have an accurate knowledge of American conditions. He also displays a decided bias against the Americans. Bancroft's is the best American account. He knew more of the French sources than any of his successors and had a broad comprehension of the problems involved, but he wrote with too much patriotic fervor.

Van Tyne's and McLaughlin's accounts are written in a spirit of fairness, but they are too much an attempt to reconcile the conventional American view with Doniol. Both have many inaccuracies, and neither shows the grasp of the subject which distinguished Bancroft. Perkins and Tower follow Doniol. Winsor, Roosevelt and Ogg are entirely unreliable on the diplomatic phases of the Revolution.

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